

HARRISON'S REPORTS

Yearly Subscription Rates:
United States.....\$10.00
U. S. Insular Posses-
sions 11.00
Canada and Mexico... 12.00
England and New
Zealand 14.50
Other Foreign Coun-
tries 16.50
25c. a Copy

1440 BROADWAY
New York, N. Y.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:
Harreports
(Bentley Code)

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors.

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. IX

SATURDAY, NOVEMBER 5, 1927

No. 45

DON'T BE A SUCKER!

Part of a letter from Crockett Brown, of Grand Theatre, Nashwauk, Minnesota, published in "Exhibitors Herald," of October 8, reads as follows:

"The trade papers announced that M-G-M would release 'The Big Parade' to small town theatres in September. I should have known better but I didn't so I asked our good natured M-G-M exchange manager to quote me the price for Nashwauk which is a very small town (N. B. 2,922 population). He said I must play it four days, the admission must be fifty cents, the rental is based on two full houses per day, meaning it would cost me \$400 per day or \$1,600 for four days."

The Aldine Theatre, a Loew house, in Pittsburgh, showed "The Big Parade" at 25 cents minimum up to one o'clock, and 35 cents the remainder of the day. The Lincoln Theatre, at Washington, D. C., showed the picture at 25 cents and 35 cents during the day, and at 15 cents to children at 10:30, Saturday morning. Yet they ask you to charge 50 cents minimum.

Insist that you show this picture at the same prices they are charging in their own theatres. Don't let them ruin your reputation among the public by making them believe that you are taking advantage of them. And do not agree to a guarantee; if it is to be a gamble, as percentage surely is, let it be a gamble on both sides. Do not accept the Metro-Goldwyn-Mayer sales plan on "The Big Parade" or "Ben Hur"; if the Nashwauk exhibitor had accepted it, he would have lost \$393 even if every man, woman, or child, babies and old men as well as old women included, had attended the performances. Tell the salesman that according to their statement they have spent hundreds of thousands of dollars to exploit "The Big Parade." If so, it should draw irrespective of whether you do any additional advertising or not. Why, then, the guarantee? Their excuse for demanding a minimum guarantee has been their desire to make you work hard to exploit it. But since the picture is already exploited, is a guarantee now necessary?

Don't be a sucker!

GIVE THE SMALLER FELLOWS A CHANCE!

When Theatre Owners' Chamber of Commerce held that memorable meeting at the Hotel Astor on July 14, and assigned to me the task of analyzing the programs of the various producer-distributors with a view to telling the exhibitors how much each producer-distributor's product was worth this

year, and also to suggest to the exhibitors to go on a buyer's strike so as to bring the film prices down, the thought the New York exhibitors had in mind was to bring down the film prices the big companies charged, and to help the smaller of the national distributors and the regional exchanges sell more film, enabling them to make better pictures this year; we all realized that feeding the big fellows was a dangerous thing, not only for the smaller producer-distributors but also for the exhibitors themselves, for what really kept prices from going still higher was not the good-heartedness of the big fellows, but the ability of the smaller fellows to make good pictures. Without the small fellows, it is unlikely that many exhibitors would have survived the greed of the big producer-distributors.

It seems, however, that the thing did not work according to the original intention; I have been informed that the exhibitors will buy the program of one of the biggest producers at the big producer's own prices, and, fortified with pictures for half of their play-dates, offer the smaller producer-distributors low rentals and tell him: "Take it or leave it." The original intention was to induce the exhibitors to buy the program of one of the smaller national distributors or of a regional exchange, and, thus fortified, to tell the big fellows to go to blazes with their high price notions.

Unless the exhibitors change their attitude, next season there will be no abatement in the high film prices. Let the exhibitors go on a buyers' strike if they will; it will prove of no avail, if they will continue fighting for the pictures of those that have brought the prices to the present level, and paying for them anything these producer-distributors want, and blackjacking the little fellows.

Give the smaller fellows a chance! They have good stuff this year; why not help them, enabling them to help you?

THE C. & M. AMUSEMENT CO.

Marietta, Ohio

Oct. 25, 1927.

P. S. Harrison,
New York City.

Dear Sir:

Referring to your issue of Oct. 22nd, covering what the Trade Practices Conference has accomplished, we think that you have covered this situation more thoroughly than any other report we have read. We appreciate what has been done and think it eventually will be a great help to the exhibitors.

Yours very truly,
THE C. & M. AMUSEMENT CO.

1927 To Dec 31st 1939

"The Harvester"—with a Special Cast

(F. B. O., Nov. 23; 7,044 ft.; 81 to 100 min.)

Plots taken from Gene Straton Porter's novels are different plots taken from the novels of other authors. And there is a tenderness in the nature of this author's characters that is not usually found in the characters of other authors' stories. The characters in "The Harvester," like those in "Keeper of the Bees," "Laddie," and "The Magic Garden," portray tenderness that is appealing to the average picture-goer. There are a number of situations where the spectator is made to love the hero for the goodness of his heart. When he finds out that his wife had promised to marry another man, because she felt she was under a moral obligation to him for having cared for her mother during her fatal illness, he is heart-broken, well enough, but he is willing to grant her freedom for the sake of her happiness. This situation has been handled very well. The meetings of hero and heroine in the woods, leading to their marriage, are tenderly and wholesomely sentimental. In fact, almost every foot of this film arouses tender sentiment in the spectator. Mr. Leo J. Meehan has directed this picture with the same skill he has directed his other pictures that were taken from this author's novels. Orville Caldwell makes a good hero, and Natalie Kingston a good heroine. Will R. Walling, Jay Hunt, Lola Todd, Edward Hearn, and Fanny Midgley are in the supporting cast; they do good work. The characterization of Edward Hearn as Dr. Harmon, is not very successful; one cannot form a correct opinion as to what he is. In the flash-back that shows his treating the heroine's mother, the heroine is shown promising to go to him if he would continue caring for her ill mother. But it is not made plain whether the Doctor was in love with her or merely wanted her as his mistress. This obscurity in characterization is found also later on. While this defect is not bad enough to affect the appealing qualities of the picture, if it were corrected, the picture would be improved much.

The story deals with a hero that made a living by collecting herbs and selling them. In the woods he meets the heroine, the girl he once dreamed about. One day he learns that her uncle mistreated her. His sympathy having turned into love, he asks her to marry him. Eventually she accepts his proposal and marries him. One day she takes ill and, thinking she would die, confesses to the husband that she made a mistake in marrying him, for she had been worshipping a doctor, who had treated her mother when ill, and had helped her financially. The hero is heart-broken; he goes for the doctor and asks him to cure her of her illness. Medicine does her no good. So the hero, with the help of a friend, an elderly woman, tries to cure her by thoughts of love and kindness. He succeeds in saving her life. In the end, the heroine learns to love the hero, driving the doctor away from her thoughts.

"The Fourflusher"—with Marian Nixon, George Lewis, Churchill Ross and Eddie Phillips

(Universal-Jewel, February 19, 1928)

The value of this picture lies chiefly in the youthfulness of the principal characters. The story is not bad, but it is not so strong; it depicts a young man making success in life, both in the world of business and in the world of love. There is some comedy here and there, and one's interest is held fairly tight all the way through. The love affair between George Lewis and Marian Nixon is charming. The plot has been founded on the story by Caesar Dunn; it has been directed by Wesley Ruggles well. All the players act well:—

The hero, a young clerk in a shoe store, while in company with other young men, sees an attractive young woman (heroine) and in a spirit of fun tells his friends that he knows her. His friends laugh at him. In order to "show" them, he approaches the heroine and opens up a conversation with her. The heroine, noticing the young hero's attractiveness, invites him into her car. In order to carry on his pretense, he asks her to drop him at a bank where he made her think he worked. A day or so afterwards she enters a shoe store and is surprised to find the hero there. The two young folk soon fall in love with each other. The hero is discharged from the shoe

store. A chum of his quits his job, too, and goes with the hero. The chum advises the hero to seek a loan at the bank to go in business, but the bank refuses him the loan. Shortly afterwards an uncle of the hero comes to town, visits the banker, and places a large sum of money with the bank, with instructions to lend it to the hero, whom he had never seen, without telling him anything about it. The hero is sent for, and receives the loan he had asked for. With the money of his uncle, the hero makes a success, both as a business man and as a lover.

Young folk should be pleased to see a young man make a success in life; they should be inspired to exert hard efforts, too.

"A Dog of the Regiment"—with Rin-Tin-Tin

(Warner Bros., Oct. 29; 58 to 71 min.)

Like the other Rin-Tin-Tin melodramas, "A Dog of the Regiment," too, should please those who like pictures in which a dog is the outstanding player. The story is supposed to be the life of Rin-Tin-Tin himself, from the time he was a puppy to the time when he fell into the hands of an American, fighting in France. There are several thrills in the picture, and no little suspense. Most of the thrills are in the situations that show the American hero, an aviator, who had been downed inside the German lines, escaping by stealing a German aeroplane and reaching the allied lines. The scenes that show Rin-Tin-Tin stealing the German General's food and taking it to the hero are comical. The plot has been founded on a story by Albert S. Howson; it has been directed well by Ross Lederman, from a scenario by Charles R. Condon. Tom Gallery, Dorothy Gulliver, and John Peters are in the supporting cast.

"Dress Parade"—with William Boyd and Bessie Love

(Pathe-DeMille, Oct. 30; 6,599 ft.; 76 to 94 min.)

Entertaining. It is a comedy-romance, with plentiful light comedy. The action unfolds at the West Point Academy, the scenes having been photographed on the spot. The comedy is caused by the forwardness of the hero, "the biggest noise in Bergen County," who had, through political pull, been sent to West Point, just to get "even" with a young cadet, because he had told him that he was "out of place" in those grounds, when he happened to visit the Academy and found himself face to face with the heroine, an attractive girl, whom the young cadet hoped to marry. There was much opportunity for good comedy in this story, and director Donald Crisp fully availed himself of it. There are some thrills toward the end, too; those are caused by the fact that the lives of the hero and of his rival for the hand of the heroine had been placed into jeopardy: The Commander of a sham battle ordered the ground cleared of all cadets for the battle, so that no life might be lost by the target shooting. But the hero, who was brooding over the fact that he thought he had lost the love of the heroine, did not get out of the grounds in time. The rival, who had been made responsible for the lives of the cadets of his company, rides on horseback to tell the hero to get out of the way. But the shooting starts before they have time to get out. The rival is wounded but the hero risks his own life to save his. It is during the shooting that one feels apprehensive lest the hero and his rival be killed.

The plot has been founded on the story by Major Robert Glassburn, Major Alexander Chilton, and Herbert David Walter; it has been directed by Mr. Crisp with great skill, from a screen play by Douglass Z. Doty. Mr. Boyd and Miss Love fit their parts perfectly. Hugh Maurice Ryan, Louis Nathcaux and Clarence Gendert Allan, as the rival, is very good. Walter Tennyson, do good work in the supporting cast.

The picture has been produced with the co-operation of the West Point Military authorities. While it conveys a great deal of propaganda, such propaganda is not conveyed offensively and it is not unpleasant to the average picture-goer. The showing of character building among the cadets cannot prove offensive to anybody.

The fine bearing of the West Point cadets makes the picture pretty fascinating.

"No Place to Go"—with Mary Astor and Lloyd Hughes*(First Nat., Oct. 30; 6,403 ft.; 74 to 91 min.)*

Not much to it. Nothing that the principal characters do arouses the spectators' interest tensely. It is the story of a wealthy heroine, a girl of an incurable romantic disposition, and of a hero, a young bank clerk, who loves her. But she will not marry him unless he is willing to marry her in the great outdoor altar. While in a yacht, cruising in the South Seas, the two elope. Their absence, which is soon discovered, is the cause of great worry. The yacht party searches the island. On the island the lives of the hero and the heroine are placed in danger, when they are attacked by the savages. But they succeed in escaping. Soon they are rescued. When they return home they marry, but only with the understanding that an imaginary line should divide his apartment from hers. Causes for jealousy arise, resulting in some tiffs. But the heroine realizes how much she needs the hero's protection when she, frightened by the image of a savage, which was reflected in the mirror of her room from an electric sign, screams and falls into the arms of the hero, who had rushed to her rescue.

The plot has been founded on the story "Isles of Romance." Evidently the original story had the hero and the heroine become united as man and wife on the island, solemnizing their marriage by a priest, minister or judge when they reached civilization; but in the picture this has been glossed over.

"The Angel of Broadway"—with Leatrice Joy and Victor Varconi*(Pathe-DeMille, Oct. 2; 6,555 ft.; 76 to 93 min.)*

There are sobs in several situations; in some, the interest lags. But on the whole, "The Angel of Broadway" should prove an appealing entertainment. There is some comedy here and there, but not enough of it to be remembered; its chief reliance is drama. The theme is "ticklish," but Miss Lois Webber, the only woman that has made permanent success as a director, has directed it well.

The plot deals with a cabaret dancer that burlesques the Salvation Army and makes money with it. But, as the end justifies the means, it is improbable that any one will take offense at this mockery, for the heroine is toward the end shown turning into a real Salvation Army lass; the garb had "taken hold" of her soul.

The honors for the best acting go to Victor Varconi, the hero of the piece. Leatrice Joy is so-so. May Robson, Alice Lake, Elise Bartlett and others are in the supporting cast. The plot has been founded on a story by Lenore J. Coffey:—

The heroine, a cabaret dancer, chances to pass by a Salvation Army street meeting and, in fun, joins the meeting. She is invited to their headquarters. There she pretends that she, too, had been saved and tells publicly of her past sins. The hero, a former sinner, helping the Salvation Army in little things, is attracted by the new soul that had been saved. He asks her to come again. She calls often. He falls in love with her. She conceives the idea that if she were to put on a "Salvation Army" act at the cabaret she would make a hit. She puts the act on and it proves a success. The hero finds out what she really is. He is shocked, upbraids her, and tells her that he would go back to his old girl, because, although that girl had been making her living by selling her body, he said that she was at least honest about it. He calls on the girl and finds her dying, having taken poison out of despair. The heroine, depressed by her fight with the hero, leaves the cabaret in her Salvation Army dress. The dying girl begs for some one to pray for her during her last moments. The hero sends a neighbor out to find a member of the Salvation Army to pray for her. The neighbor comes upon the heroine and, thinking her a Salvation Army girl, pulls her into the dying woman's room. The dying woman's entreaties so move her that she kneels and prays for her soul. After the death of the woman, hero and heroine make up and marry.

There is no mistake as to what the heroine is; it is plainly implied that she is not a virtuous woman. There is considerable drinking and jazzing in the scenes depicting the Night Club in New York. And the bare legs of the cabaret dancers are shown no little.

"The Forbidden Woman"—with Jetta Goudal, Victor Varconi and Joseph Schildkraut*(Pathe-DeMille, Nov. 6; 6,568 ft.; 76 to 93 min.)*

Very well produced. It is a drama, the action of which unfolds in Paris and in Africa, in a French possession; it shows that a young Arab woman marries an officer of high rank, so that she might be able to obtain military secrets of value and transmit them to her people; and that she had at the same time fallen in love with the hero's young brother, whom she had accidentally met on board the ship she was traveling to Paris with, without knowing who the young man was. In Paris, the young man calls on his brother. While the elder brother is absent from the house, the heroine tries to force her attentions on the young man. The elder brother returns and, finding them locked in his brother's room, thinks that his young brother was trying to steel the affections of his wife; he did not know that it was his wife that had locked the room and had thrown the key out of the window. The angered brother forces the young man to enlist in the Foreign Legion. In Africa he subjects him to hardships. The young brother (under an assumed name) bears everything stoically, because he loved his brother. Some military secrets leak out and the young brother is suspected. He is tried and convicted of treason. He is about to be shot when the heroine is detected as the spy. She is shot in place of the young man.

While the picture has, as said, been produced with skill, it is unlikely that it will appeal to the small town picture-goers; it is hardly likely that these will be pleased by the sight of the shooting of a woman, or of the pitting of a brother against a brother. But it should prove suitable for big towns. Whether, however, it will draw or not, that is a question, unless Jetta Goudal is popular in a particular locality. There is a great deal of suggestive love-making in some scenes, which make the picture of questionable value to the small towns.

"Tea for Three"—with Lew Cody, Aileen Pringle and Owen Moore*(Metro-Goldwyn, Dec. 10; 6,273 ft.; 73 to 89 min.)*

A fair farce-comedy of a high order. The first three-quarters of it is slow; only here and there there is a laugh. It is the last two reels that cause several laughs. Garlic is the cause of all troubles in it. The heroine visits her husband at his office to ascertain whether he told her the truth or not when he said that he was at a director's meeting. There the heroine meets her husband's friend that had acted as a best man at their wedding. The friend invites the heroine to lunch. They eat food containing a plentiful supply of garlic. When the heroine returns home she refuses to allow her husband to kiss her on the ground that she and a "woman-friend from Boston" had eaten food with too much garlic in it. Knowing that the friend his wife mentioned as being out to lunch with was not in New York, and seeing his friend chew breath-sweetening tablets, the husband becomes suspicious. His suspicions eventually lead them both into trouble. The play at cards, the stake being suicide for the loser. The friend loses.

As said, most of the comedy occurs in the last two reels. The cause of it is the appearance of the friend at a yacht party of the husband's. The husband thought that the hero was making ready for his funeral, and was greatly surprised to see him there. The heroine and the friend conspire to cure the husband's jealousy. This, too, lends itself to comedy-making.

The most comical situations of them all, however, are those that show the hero throwing a bundle into the sea, yelling, "Man overboard," and then hiding in a trunk. The husband and the other yacht party guests thought that the hero surely had jumped overboard. The husband returns to his room. The friend soon returns to the room, too, and the husband, thinking that he had seen his friend's ghost, runs out of the room and falls into the water. The friend jumps into the water and rescues him.

The last scenes show the husband cured of his jealous temperament, and the three sitting around a table, drinking tea.

It should give moderate satisfaction to high-class spectators.

THE OTHER HALF OF THE TRUTH

A United Artists' advertisement appeared in the trade papers early this month; it read as follows:

"'Chicago Theatre ran away from the field with \$63,950 for week,' reports Variety in Sept. 28th issue. The Attraction Was—The Internationally Famous Duncan Sisters in the screamingly funny Motion Picture 'Topsy and Eva''"

Let us now see what Variety said on that date:

"Chicago, Sept. 27. Getting \$14,000 over the previous good week and only \$5,000 under the existing house record, which also stands as the city's record, the Chicago celebrated its final week as a 'nice' house appropriately. The Duncan girls and their celluloid reproduction, 'Topsy and Eva,' were the drag.

"An atmosphere combining popularity and notoriety always encircles the sisters in Chicago, stamping them as naturals for the town. This is their setup, the papers are free and easy when the Duncans are mentioned, and no one has forgotten that Cicero socking. An exception in their particular case, Chicago is no authority on how the will fare points east"

So what made the Chicago theatre run away from the field with \$63,950 for the week was not the film itself, as the advertisement seemed to have implied, but the popularity of the Duncan sisters, who appeared in person during the engagement.

It is a good thing for you always to know the other half of the truth.

INCONSISTENCY!

The producers have been telling you all along that the exhibitors do not trust one another. How about the producers and distributors? When the exhibitors introduced a resolution on the question of theatre building, the producers objected to it and offered a substitute. The exhibitors accepted it. When Harry Suchman, Chairman of the exhibitor resolutions committee, read it so that the three bodies might have an opportunity to vote on it, Mr. Gabriel Hess, attorney for the Hays organization, objected to it.

Commissioner Myers asked of Hess the reason. Hess replied that the producers and distributors had not had time to consider it.

"That's funny," the Commissioner replied. "One of your own lawyers, Mr. Swain, drafted it!"

Hess replied that that was true but that the other producers would like to go over it.

NOT AN OCCULT BUSINESS!

For several years the Hays organization has been trying to make you believe that the arbitrators must be exchangemen and exhibitors, because the business is too complicated for outsiders to understand it.

That is what Mr. Kent tried to say to Commissioner Myers at the Conference; in trying to defend star, story and director substitutions, he attempted to make the Commissioner believe that this was a business difficult for an outsider to understand. He did not get very far, however, for the Commissioner promptly replied to him:

"One is told that this is an 'occult' or mysterious business; that the layman cannot understand it. I cannot see it that way, and it seems to me that when the exhibitors buy something they are entitled to what they paid for."

As a sidelight of this substitution farce, Mr. Harry Suchman, a New York exhibitor, Chairman of the exhibitor resolutions committee, asked Mr. Hess if he would consider a substitution when an exhibitor bought a college story, as was the case with "White Flannels," and received a picture revolving around the coal mines of Pennsylvania. Mr. Hess agreed that such a case would be a substitution. Commissioner Myers had a good laugh when Mr. Suchman put the question to Mr. Hess. One could not help laughing when one remembers the raw substitutions the producers have been making for several years.

Harrison's Reports feels proud that in the matter of substitutions it has rendered a real service to the exhibitors. It has saved them millions of dollars. But for its disclosures in the last two years, there would have been no substitution question at the Trade Practices Conference, and the producer-distributors would continue selling one thing and delivering another. In fact, they would become more emboldened; they would sell one thing and when they would find that the thing they sold turned out to be a good picture, they would change its title and sell it to him the following season for more money, as is the case with "Old San Francisco." But they would deliver that thing if it turned out to be a poor picture.

Next time the Hays organization tells you that none but exchangemen and exhibitors can be arbitrators because outsiders would not understand the intricacies of this business, tell them that any intelligent human beings could understand it, as Commissioner Myers proved at the Conference.

ARBITRATING PICTURES THAT OFFEND RACE OR RELIGION

At the Trade Practices Conference, before the producers introduced a resolution through Mr. Robert Rubin, of Metro-Goldwyn-Mayer, agreeing to submit to arbitration any pictures that offend race, creed or religion on a complaint from an exhibitor, holder of a contract for such a picture, Mr. Sydney R. Kent took the floor and said:

"Mr. Commissioner, when the producers are wrong they are willing to be penalized. An exhibitor will not have to run any picture that offends race, creed or religion, provided same is submitted to a fair board of arbitration."

In order to make sure what Mr. Kent meant, I went to him afterward and asked him if, in speaking about arbitrating pictures that offend race or religion, he was speaking for his company alone or for all distributors. Mr. Kent replied to me that he was speaking for all distributors. So if you have paid for "The Callahans and the Murphys" but have not been able to play the picture because of your desire to refrain from offending some of your customers, bring the matter before the board of arbitration, demanding a refund of your money; and if for any reason you fail to get it so inform this office.

Those of you who have bought "The Garden of Allah" may not be able to show it because of the stand against it the Catholics have taken on the grounds that it offends their religion. If so, you have a chance to bring a complaint before the joint arbitration board asking that you be relieved of it. I am sure that no board can refuse to relieve you of this picture, particularly if a priest or the representative of a Catholic organization has asked you not to show it.

HARRISON'S REPORTS

Yearly Subscription Rates:
United States.....\$10.00
U. S. Insular Posses-
sions 11.00
Canada and Mexico... 12.00
England and New
Zealand 14.50
Other Foreign Coun-
tries 16.50
25c. a Copy

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors.

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher
Established July 1, 1919
Tel.: Pennsylvania 7649
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. IX

SATURDAY, NOVEMBER 12, 1927

No. 46

Pictures Now Only "Chasers" in Broadway Houses

When a film salesman tries to induce you to pay big prices for his pictures by showing you the big figures of receipts for his films in a New York Broadway theatre, just ask him what part of the program his features filled.

At the Paramount, Capitol, Strand and Roxy, the picture no longer means anything. It is used merely as a "chaser," just as a demi-tasse is used at the end of a big hearty dinner. One of the exhibitor delegates at the recent Trade Practice Conference remarked: "If they have time at those big first-run houses they put on a film!" It seems as if the picture today means as little as it did in the old vaudeville days, when they used to put it on just to give the audience a chance to empty the house.

There is a battle between the first-run houses in this city; each tries to outdo the other in big acts that will draw. Salary is no object; they will pay anything. The musical and vaudeville bills in some of them cost anywhere from fifteen to thirty thousand dollars a week. To give you an idea that money means nothing to them, I quote a few of the salaries paid:

Paul Whiteman: \$12,000 a week.

Al Jolson: \$25,000 (offered).

Pat Rooney: \$5,000 for one week.

John McCormack was offered \$25,000 for one week.

John Phillip Sousa received \$15,000 for one week.

Here is the bill that was announced at the Capitol a few weeks ago:

Van and Schenck, Winner Lightner, Jans and Whalen, Burt Darrell, Jane Overton, Chester Hale Girls, and others, all headliners, and a Metro-Goldwyn-Mayer picture.

At the Roxy I find: Gladys Rice and a chorus of 100 voices, the Carolina Serenaders, 50 Negro voices, Aronson's Commanders, "On the Campus," the Roxy Symphony Orchestra of 110 musicians, and, as the program says, "many other musical novelties." They naturally played "A High School Hero," (if they had time; and I think they squeezed it between the acts).

It is reported that the operating expenses of these houses run anywhere from fifty to one hundred thousand dollars a week. They are giving a five dollar show for one dollar or less.

There is a battle on in these houses, not really for supremacy, but for existence; since the Roxy opened the others felt the loss in business, and they tried to get it back by giving as much as the Roxy, if not more. Since they put these acts on, they cut down the receipts of the Roxy. So Rothapfel tried to get back at them by giving bet-

ter shows still. But he is not catching the others asleep; they are out in the market for acts. And they are getting them.

To give you an idea of the magnitude of the struggle between these houses, I may mention the fact that the management of the Capitol Theatre resorted to the unethical act of throwing a light ad on the front walls of the Paramount Theatre advising the people to go to the Capitol for a good show. I would not be surprised if Sam Katz retaliated by throwing a similar ad on the walls of the Capitol, advising the pedestrians that they can see a good show at the Paramount. If he should do so, Roxy may retaliate by throwing the same kind of ads on the walls of the Capitol and the Paramount, advising the New Yorkers that the Capitol and the Paramount are fooling them, and that they can see a better show by going to the Roxy. The thing may end by a boxing contest between Edward Bowes, Sam Rothapfel and Sam Katz, at the Madison Square Garden.

The battle between these theatres is now taking a new direction. Each theatre is trying to out-fib the other in size of receipts. Since nobody can check them up, the figures they give out can be anything. The size of them is, no doubt, governed by the size of figures the other fellow gives out.

Feeling the competition, Sam Katz has brought back the old bally-hoo days; he is giving a midnight performance at the Paramount, and has posted an usher in front of the theatre, on a chair, with a megaphone, yelling out that there will be a midnight performance, advising the pedestrians to go in and see a good show. And if they cannot overcome competition that way. I would not be surprised if we saw Sam Katz and Adolph Zuckor dressed as ushers, and ballyhooing in front of the Paramount Theatre. And if that should come to pass, the next thing we will see will be Edward Bowes in company with Nick Schenck, dressed as clowns, and performing in front of the Capitol, and Sam Rothapfel and William Fox, dressed similarly (like Coney Island clowns), performing in front of the Roxy.

It is needless for me to repeat that you should not pay any attention to figures of picture receipts presented to you by a film salesman, who is making every effort to induce you to pay big prices for this, that, or the other of his pictures that has been shown in a Broadway Theatre; remember that the picture means nothing any longer; it is the most insignificant part of the bill. Just ask the salesman what part of the bill did the program fill.

"Women's Wares"—with Evelyn Brent, Bert Lytell and Larry Kent

(*Tiffany*; 5,614 ft.; 65 to 80 min.)

The striking part about this film is the naturalness of the characters and the smoothness with which the action unfolds; and as the background is rich, the impression that is created in one's mind is deeper. One feels that no big company could have handled it any better, and most surely could not have produced it at as low a cost.

The story deals with two honest working girls, the heroine and her chum. The heroine is in love with a young man (hero). One evening he accompanies her home. One kiss led to another, until the young hero, forgetting himself, makes a dishonorable proposal to the heroine. The heroine is angered and sends the hero away, telling him never to see her again. Disgusted with men the heroine decides in the future to take everything she can from men and to give them nothing in return. Her friend concurs in her decision. The first person she flirts with is a married man. He sets up an apartment for her. But when he asks her to be "sweet" to him, the heroine picks up the telephone and tells him that she is going to ask his wife if she would permit her to be sweet to him. The married man leaves in horror, begging her to say nothing to his wife, letting the heroine retain the apartment. Other persons contribute to the maintaining of the apartment. The heroine eventually marries the hero whose health had broken down from a guilty conscience.

Although the situations have been handled delicately, yet one cannot mistake as to what the characters have in mind. It is unfortunate that the young hero should have been allowed by the author to make a dishonorable proposal to the heroine, for I believe that the spectator would receive better satisfaction if another method had been used to bring about the parting of the heroine with the hero.

The plot has been founded on the story by E. Morton Hough; it has been directed by Arthur Gregor with skill, from a continuity by Francis Hyland. Gertrude Short, Richard Tucker, Myrtle Stedman, Cissy Fitzgerald, Sylvia Ashton and Stanhope Wheatcroft appear in the supporting cast.

An excellent picture for sophisticated audiences; not good for young folk.

"The Cherokee Kid"—with Tom Tyler

(*F. B. O.*, Oct. 30; 56 to 69 min.)

A pretty fair program picture with action and mild suspense. The story is a formula western, with some variations: The hero, a stranger in the heroine's country, is suspected of being the last of the enemy clan, and of having murdered the heroine's father, because of the old feud. It was the villain's scheme to have the young hero accused of the crime so that it might not come to light that it was he that had murdered him. The hero takes an interest in the heroine and attempts to protect her from the machinations of the villain. Soon it comes to light that the hero is the last of the enemy clan, but he had proved that the murderer was not he, but the villain. He also convinced the heroine how futile it was to carry on the feud.

The usual horse riding, shooting and waylaying that are found in the average Western are found in this one also. The plot has been founded on a story by Joe Kane, and has been directed by Robert De Lacy. Sharon Lynn plays opposite Tom Tyler.

"Flying Luck"—with Monte Banks

(*Pathe*, Nov. 13; 6,400 ft.; 74 to 91 min.)

Not a bad burlesque. There is some comedy in it, and in some situations there are thrills. The thrills are caused by the flying of the hero, who didn't know the first principles of flying, but was trying to learn them from a book. The best part of the film is toward the end, where the hero, who had just joined the flying division of the army, is shown mistaken by the General for the foreign dignitary that had just arrived in this country to inspect the U. S. A. flying forces and equipment. He is shown given honors due to his "rank." The embarrassment the General feels when he discovers that the hero is none other

than a mere private makes the spectator laugh. In the closing scenes there are some more thrills when the hero, who had not yet learned how to fly, takes a machine, goes up in the air, and attempts to win a race. The spectator feels as if he would crash to the ground at any moment.

The plot has been founded on a story by Charles Horan and the star himself; it has been directed by Mr. Herman Raymaker, from a continuity by Charles Horan and Matt Taylor. Miss Jean Arthur plays opposite Mr. Banks. John W. Johnston takes the part of the General, commander of the air forces. "Kewpie" Morgan takes the part of the hard-hearted sergeant.

The plot in the end shows the hero by mere luck winning the air race and also the heroine as a wife.

A pretty good program picture.

"A Harp in Hock"—with Junior Coghlan and Rudolph Schildkraut

(*Pathe-DeMille*, Oct. 9; 5,999 ft.; 69 to 85 min.)

A human little story, revolving around the attachment of an elderly Hebrew for an urchin of Irish parenthood. The emotions of sympathy are touched almost in every situation. The scenes that show the authorities taking the boy away from the kind-hearted Hebrew, who had become attached to the boy and had been rearing him as his own son, are deeply pathetic. So are the scenes that show the old man looking through the window at the orphan's home, where the boy had been taken. The closing scenes, where the mob is shown attacking the old man's pawnshop and injuring the old Hebrew, besides being pathetic, are tensely suspensive; one learns to sympathize with the Hebrew and to fear lest harm befall him. The scenes that show the hero and the heroine, friends of the old man, rushing to his rescue with an order from the court permitting him to adopt the boy are cheering. The plot has been founded on a story by Evelyn Campbell; it has been directed well by Renaud Hoffman, from a scenario by Sonya Levien. Bessie Love makes a good heroine, and Joseph Syriker a good hero. May Robson, Louis Natheaux, Elise Bartlett, Mrs. Charles Mack and others appear in the supporting cast.

It may be considered as a good program attraction.

"The Girl From Chicago"—with Hynna Loy, Conrad Nagel and William Russell

(*Warner Bros.*, Nov. 6; 5,978 ft.; 69 to 85 min.)

This is the old, old story of the boy who, though innocent, had been convicted to hang, but who is saved from the electric chair at the last minute. But it has been handled so well that, in the situations where the boy's sister is shown making every effort to save the life of her brother, the spectator is held in as tense suspense as he has been held by a similar situation in other pictures of this type. Everything is timed to save the life of the young man—the detective (hero) is convinced that the young man is innocent and begs his chief to communicate with the Governor and to implore him to have his telephone connections made so that in case he should discover evidence at the last minute to prove that the boy was innocent nothing might go wrong in the saving of the young man's life. Yet all these appear natural. In fact one hopes that the young man's life might be spared and "urges" the characters to exert their greatest efforts. The scenes that show the encounter between the trapped criminals and the police, who employ machine guns to dislodge those of the criminals that were left alive, remind one of the scenes in "Underworld," in which the hero is trapped by the police, who had surrounded his lair also with machine guns. Hynna Loy, as the heroine, arouses the spectator's admiration for her pluck. Conrad Nagel is fair as the hero. William Russell is good as the leader of the gunmen.

The plot has been founded on the Arthur Somer Roche story, "Business Is Best"; it has been directed with skill by Ray Enright, from an intelligently constructed scenario by Graham Baker.

"Uncle Tom's Cabin"*(Universal Super-Special)*

In "Uncle Tom's Cabin," Mr. Carle Laemmle has produced what may truly be called a classic of the screen. In the welter of superlatives which usually accompany preliminary notices of moving pictures, it is refreshing to note that too much has not been said about this production. It is a great picture, one which should rank with the greatest. It is replete with drama and pathos. Humor has not been overlooked nor is it overdone. There is plenty of it and to spare, but it is not "dragged in by the scruff of the neck." It comes naturally.

With but one striking exception, the picture is usually faithful to the book. The exception is the introduction of scenes from the Civil War. Inasmuch as the book was published some ten years before the outbreak of the war, this is an anachronism. Nevertheless, it is one which, if anything, improves the story. The introduction of these scenes is strikingly appropriate; they round out the story and give it a fullness and a significance that would not otherwise have been possible. They give an additional thrill and an added historical value to the story. Throughout the film are many excellent shots of southern plantations; of the lordly Mississippi; of Grant's army on its "march to the sea," and others which put the picture in a class by itself.

As said, the story follows the book with unusual fidelity. We see the marriage of Eliza and George, and are introduced to the kindly Shelby and his wife. Then comes the slave owner to tear these two happy souls apart. We meet Uncle Tom, and Little Eva, Topsy, Simon Legree and Lawyer Marks—in fact, all those wonderful people who formed so large a part of the days when "Uncle Tom's Cabin" was something terrible and vividly real to youthful imaginations. They come to life again on the screen and we live over, once more, the sorrows and the joys, the thrills and the despair which kept the youth up at night long after they should have been sound asleep in their beds.

To young and old alike the appeal of this picture must prove irresistible. It is the story of a great tragedy, of a great wrong and, as such, is an integral part of the history of this Republic.

Director Pollard and the players alike have evidently been impressed with the responsibility devolving upon them. All are deserving of unstinted praise. James B. Lowe, (Uncle Tom) gives a faithful and impressive impersonation of the faithful negro. George Siegmann (Simon Legree) presents the unspeakable villain of the play in a way that brings shudders to the most sophisticated. Aileen Manning (Miss Ophelia) is excellent. So is Mona Ray (Topsy). Margarita Fischer (Eliza) and Arthur Edmund Carew (George Harris) are deserving of unstinted commendation for their excellent work.

One of the greatest scenes ever put on the films is the famous crossing of the icy river by Eliza. This has never been done so well. There is a real thrill when the girl is rescued in the nick of time by the kindly and heroic Quaker. Even the hardened theatre-goer will find it difficult to suppress a thrill when he sees this. The girl, with the baby in her arms, is desperately trying to keep her footing on the floating cake of ice as it near the falls. The Quaker (Nelson McDowell) climbs out on the branch of a tree and, hanging by his feet, grasps the girl as she is about to be dashed to death. Other "thrillers" have been shown in motion pictures, but this one caps them all.

It seems as if "Uncle Tom's Cabin" has a long and prosperous future ahead of it. It has all the requisites of a great picture, one that should play to packed houses all over the country. It is a credit to all connected with it.

"The Main Event"—with Vera Reynolds and Charles Delaney*(Pathe-DeMille, Nov. 20; 75 to 92 min.)*

Not a bad picture, in which the leading men characters are pugilists. There is strong love interest al-

most all the way through. A few rounds in the ring between the hero and the villain hold the spectator in pretty tense suspense. Considerable sympathy goes to the hero's father, impersonated by Rudolph Schildkraut, who sees his son (Charles Delaney) wasting himself because of his love for a girl, and is impotent to make him train so that he might not lose the fight. The heroine had been talked to by her sweetheart to associate with the hero and to keep him out nights so that by weakening him, he (the sweetheart) might not lose the fight with him, whose right hand punch he feared. The scenes that show the heroine, in "conspiracy" with the hero's father, insulting the hero so that by humiliating him, she might spur him into putting up a hard fight at the ring arouse sympathy for the heroine; she did that in spite of the fact that her heart was breaking. The plot has been founded on the story "That Makes Us Even," by Paul Allison; it has been directed skillfully by William K. Howard, from a continuity by Rochus Gliese. Julia Faye, Robert Armstrong and Ernie Adams are in the supporting cast. It should give good satisfaction.

"The Singleshot Kid"—with Young Buzz Burton*(F. B. O., Dec. 4; 4,886 ft.; 56 to 70 min.)*

The second picture with Buzz Burton, the young boy wonder, does credit to the first. It is full of action from beginning to end. In some situations the spectators, particularly young boys, will cheer young Burton; he is shown lassoing the villain and rescuing the heroine from his hands. The scenes that show him on horseback, riding fast in an effort to overtake the villain, too, should bring the house down. There are many such situations all the way through the picture.

Also in this picture young Burton, in company with his pal, an elderly man, is in search of his father, whom he refuses to believe dead. They come to a dead mining town, and meet the heroine, conducting a ranch nearby. The villain, who had an eye on the ranch, and on the heroine, had made every one of the ranch hands quit. The young hero and his pal agree to work for the heroine. It is then that they come face to face with danger, because the villain was determined to get the ranch and the heroine at any cost. But the young hero and his pal eventually outwit the villain.

The plot has been founded on the story by Oliver Drake; it has been directed by Louis King.

It should give the same kind of satisfaction "The Boy Rider" gave.

"May of Vassar" and "The Fair Co-Ed" the Same

Several subscribers have asked me to tell them if "The Fair Co-Ed" and "Mary of Vassar" are the same picture.

"Mary of Vassar" was thus described in a Metro-Goldwyn-Mayer advertisement, inserted in the trade papers of June, 1926:

"Marion Davies. Successor to 'Brown of Harvard' from college girls' angle. Cosmopolitan production."

The number given to "Mary of Vassar" was 736, and as 736 is the number of "The Fair Co-Ed," which also is a "Brown of Harvard" from a college girls' angle, one assumes that the two are the same picture.

"The Gorilla," First National, is an excellent mystery melodrama, something of the type of "The Bat," and "The Cat and the Canary." "The Girl in the Pullman," Pathe-DeMille, is a fair farce comedy of the bedroom sort. "Shanghai Bound," with Richard Dix, Paramount, is a good melodrama, treating with the Chinese revolution and how the hero escaped, and how he helped the heroine and her father escape from the hands of the Chinese bandits, who intended to capture them, the "Foreign Devils." "My Best Girl," with Mary Pickford, a good picture, but it is not drawing. (Wait for an article on this picture next week.) Full reviews next week.

ANOTHER MAGDALENE?

The opening paragraphs of the Hearst editorial espousing censorship that has created so much sensation read as follows:

"Mr. Louis B. Mayer's statement on the desirability of purer films is entirely sound, and he is speaking both in the interest of the public and in the interest of the film industry.

"Suggestive films and ultrasex films have become altogether too numerous of late. Their effect on the community is bad and their reaction on the industry bad.

"The explanation of this flood of sex films is simple. That is the cheapest and easiest way of attracting the attention of a certain element of the public . . ."

Every one connected with the motion picture industry was asking one another: "What is Hearst's motive in coming out for censorship? He certainly should have been the last man on earth to espouse censorship, for some of the news items in his papers have been more demoralizing than the sexiest of films."

Mr. Hearst's advocacy of censorship seems inconsistent also for another reason: In advocating it, he took as his text the statement Louis B. Mayer made at the Trade Practice Conference. It was a poor text, and the company he selected as advocating "clean pictures," which is his, Hearst's, partner, is a poor subject: Every one knows that Metro-Goldwyn-Mayer, of whose production department Mr. Mayer is the head, has made ninety per cent of the sex pictures; at least in the last three or four years.

Perhaps Metro-Goldwyn-Mayer is another Madgalene.

IN THE INTEREST OF ACCURACY

In the issue of October 29, I stated in Harrison's Reports that "Annie Laurie" was not shown at the Capitol Theatre, this city. This was an error. What I wanted to say was that it was shown at the Capitol only one week, contrary to the policy of Metro-Goldwyn-Mayer of showing all their big pictures at that theatre for at least two weeks.

But regardless of the inadvertent error, "Annie Laurie" has proved a flop.

A flop as a two-dollar attraction has proved also "The Garden of Allah"; it was shown at the Embassy only eight weeks; it opened September 2 and was pulled off October 29. This shows that the two dollar attractions don't grow on trees.

And since we are talking about two dollar flops, we might just as well take up also "Sunrise"; it is proving a box office failure.

The pitiful part about "Sunrise," however, is the fact that it is worth fully a two dollar admission price, but the public does not seem to take kindly toward it; the story is too depressing, even though treated by director Murneau masterly.

EVIDENCE FOR THE FEDERAL TRADE COMMISSION

In a prospectus put out by H. W. Noble & Company, of Detroit, Michigan, extolling the virtues of the stock offered by United Artists in their theatre venture, the following statement is made:

"The new circuit will derive great strength from its affiliation with United Artists Corporation (of Delaware), which has contracts pursuant to which it 'distributes' (or in the course of the next theatrical season will be 'distributing') to theatres throughout the world new motion pictures featuring: . . ."

If the Federal Trade Commission needed an evidence to prove that the affiliation of a circuit with a production and distribution concern gives it an advantage over independent theatres, they can have it in this statement, which comes from the financial agent of United Artists.

A PROTEST TO MR. HAYS

The following letter was received by this office from Mr. George Aarons, Secretary of the Philadelphia exhibitors' organization, with a request that it be published:

"October 31, 1927.

"Charles C. Pettijohn, Esquire,

"General Counsel,

"Film Boards of Trade,

"New York City, N. Y.

"Dear Mr. Pettijohn:

"It has become known that many of the National Distributing Organizations have sent orders to their various local offices to immediately begin a campaign for the securing of more non-theatrical business.

"The exhibitors of Eastern Pennsylvania, Southern New Jersey and Delaware, through their Board of Managers, at a meeting held on Thursday, October 27th, passed resolutions strenuously objecting to this method and to the development of the non-theatrical business.

"A non-theatrical in most every instance can pick out from an exchange the best pictures for the average sum of \$10 and the shows are generally shown in auditoriums, without the proper regard for fire regulations.

"The exhibitors of this territory pay to the film companies on an average of \$125,000 per week for film rentals, and on the other hand, the same companies receive in comparison for non-theatrical showing the sum of approximately \$500 per week.

"This is not only unfair competition in supplying these non-theatrical organizations, but further, in view of the fact that their business amounts to so little, there is no reason why steps should not be taken to eliminate it.

"We would appreciate a statement from you as to your position in this very important subject.

"Very truly yours,

"Secretary."

HARRISON'S REPORTS

Yearly Subscription Rates:
 United States.....\$10.00
 U. S. Insular Possessions 11.00
 Canada and Mexico... 12.00
 England and New Zealand 14.50
 Other Foreign Countries 16.50
 25c. a Copy

1440 BROADWAY
 New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
 Devoted Exclusively to the Interests of Exhibitors.

Its Editorial Policy: No Problem Too Big for Its Editorial Columns, if It is to Benefit the Exhibitor.

Published Weekly by
 P. S. HARRISON
 Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:
 Harreports
 (Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. IX

SATURDAY, NOVEMBER 19, 1927

No. 47

A Grave Issue and How You Should Meet It

An issue arose between an exhibitor and an exchange last month, which issue affects almost every exhibitor in the United States. It is such that it deserves editorial treatment in these columns, so that all those that may at some time or other be similarly affected, may know how to meet it. I am not mentioning names at the request of the exhibitor, who does not want to embarrass the branch manager, with whom his relations are friendly. The issue is of such importance, however, that I requested him to allow me to treat on the question even though his friend exchangeman may know that the article refers to him.

This exhibitor had a big picture booked last month, to play it on a percentage basis.

The terms of the contract gave the company the right to send a representative to check up the receipts; percentage contracts always provide for such a right to the distributor.

The exhibitor did not object to that; the fact that he signed the contract with that provision in it is the proof of it.

On the opening day of the engagement, however, the exchange called up the local bank and offered them three dollars a day to send one of their clerks to watch the exhibitor's box office and to take tickets at the door during the engagement. The excuse they gave to the bank was that they did not have a man available to send.

When the exhibitor was notified by the bank's cashier of the exchange's wishes he objected strenuously. He called up the exchange on the telephone and stated to the branch manager that if they wanted the receipts checked up they had to send a man of their own, as was the custom, and not a townsman of his, for he did not want a local man to know all about his business.

The exchange manager told the exhibitor that if he would not allow the bank to check up the receipts during the engagement of their picture, he would stop the show. And to prove that he meant business, in the afternoon of the same day he called the bank up on the telephone and asked the cashier to give him the name of a good lawyer, with the purpose of instructing him to take the necessary steps to take the print out of the exhibitor's possession.

The cashier of the bank, with whom the exchangeman was negotiating, was naturally put in an embarrassing position. He so stated to the exhibitor; also that the conduct of the exchangeman reflected upon his, the exhibitor's, character. The cashier said that he was brought into the controversy through no fault of his own, and against his wish; and felt that it was an unpleasant position for him to be in. To save the exhibitor from

embarrassment, however, he requested him to permit him to check his box office up. This the exhibitor agreed to do.

* * *

Unfortunately, the contract gives the right to the distributor to employ any person he sees fit to check up the receipts of an exhibitor that plays his pictures on percentage basis. But whether morally he has such a right, that is a different question. It is a dangerous practice for an exchange, regardless of its rights in the matter, to employ a man that might use the information to the exhibitor's disadvantage when his purpose is not to do so. The evil of such a practice is evident to any one with a fair amount of horse sense; in a small town the information so gained becomes common property through gossip. This is bound to hurt the exhibitor. The exchange is not in a position to know the caliber of the man he is empowering to represent him. This is not, of course, any reflection on the bank cashier in question; it is pointed out merely because of the principle involved.

The matter becomes serious in this exhibitor's case also because right now reformers are active in an endeavor to have a censorship bill passed through the legislature of his State. And if censorship were to be put through there, the producer-distributors would naturally suffer more than would the exhibitors.

Aside from the moral principle, there is also a legal principle involved: the contract the exhibitor signed, and which every exhibitor signs, irrespective of whether its terms are flat rental or percentage, contains a clause obligating the distributor to an equal degree as it obligates the exhibitor to submit all disputes that might arise under that contract to arbitration. When the exchange arbitrarily telephones to a lawyer to take legal steps to remove the print from the possession of the exhibitor instead of taking the matter up with the arbitration board, which now can be called within twenty-four hours' notice, such exchange breaches the contract, and makes itself liable for damages. It is well for you to know your rights in the matter, so that you might not allow an exchangeman to bulldoze you any time a dispute arises.

You are urged to bring all such cases to the attention of this paper, so that I may take the matter up with the Home Office of the company involved. Publicity is the greatest cure for abuses. And Harrison's Reports stands ready at all times to bring such cases to the attention of all exhibitors if the company involved should refuse to order its representatives to cease taking matters into their hands.

"Shanghai Bound"—with Richard Dix*(Paramount, Oct. 15; 5,515 ft.; 64 to 78 min.)*

For a director to succeed in making the action appear as if unfolding on the locale of the story is no mean accomplishment. As the title indicates, "Shanghai Bound" unfolds in China, on the Yangtse River, and in and near Shanghai. The picture has been naturally photographed on the West Coast, but director Luther Reed has directed it so skillfully that one is made to feel as if it has been photographed in China. The Chinese ugly-looking bandits, who are determined to oust the "Foreign Devils," the Yangtse River, the sampans (Chinese boats), the dresses, and everything that is Chinese looks Chinese; and the Chinese characters act as natives. The trick the Chinese bandit leader employs to enable him and his band to board the paddle wheel river boat, which the hero commanded, is original, and is no doubt a trick employed by real Chinese bandits: Two sampans are shown tied with a hawser, so that, when the boat would strike the hawser, its force would bring the sampans close to the sides of the ship, enabling the bandits to scale up. It is a thrilling sight; it follows a somewhat slow previous action. The scenes that show the hero rescuing the American party, consisting of the heroine, her fiancé, and her father, are thrilling. In these scenes, the hero is shown using some intelligence to extricate himself and the others from a tight situation. The scenes on board the ship, where the hero is shown taming the haughty heroine, are comical; but the action is not convincing—nothing noteworthy is shown to make the heroine change character. Her character is, in fact, illogical; no woman, however snobbish, would have acted towards the man that saved her life as haughtily as the heroine is shown acting toward the hero in this picture. But the lack of sound logic in these situations does not nullify their entertaining values.

The plot has been founded on the story by Tex O'Reilly, an ex-member of the International Police force at Shanghai. Mr. Reed has, as said, directed it with skill. The scenario has been written by John Goodrich and Ray Harris. Richard Dix, as the U. S. Navy Lieutenant, temporarily commander of the river boat, does good work. Mary Brian is good as the haughty heroine. Jocelyn Lee, as a member of the U. S. Navy Intelligence Department, assistant to the hero, does good work, too. Tetsu Komai, as the Chinese bandit leader, looks ferocious.

The picture should entertain pretty well.

"Quality Street"—with Marion Davies*(Metro-Goldwyn-Mayer Cosmopolitan Special)*

There is something about "Quality Street" reminiscent of lavender and old lace. As a picture it will prove a lasting delight to those who appreciate whimsical humor and the delicate aroma of century-old courtesy. If your audience prefers more robust entertainment, "Quality Street" may not prove exceptionally popular.

Sidney Franklin has adapted Sir J. M. Barrie's play of the same name with considerable skill. It is the story of a young girl, Phoebe Throssel (Marion Davies), in love with a handsome young doctor, Valentine Brown (Conrad Nagel). She and her sister, Susan (Helen Jerome Eddy), believe his proposal imminent; but when he comes to make his declaration it is only to announce that he is going off to the Napoleonic Wars. Many years elapse before he returns to find his beautiful young sweetheart has become a prim school-teacher. His ardor cools for the moment; and Phoebe, realizing this, assumes the dress and mannerisms of a young girl, her own imaginary niece. Again the hero is captivated, but the innocent deception brings upon the girl unexpected difficulties due to the activities of the neighborhood gossips. Eventually everything is straightened out, and a very pretty romance ends in happiness.

Marion Davies has seldom appeared to better advantage. She portrays humor and pathos with real artistry. Conrad Nagel is equal to the task imposed on him. Helen Jerome Eddy is very good. There are many beautiful scenes in the picture, which depict an English town in 1805. All in all, an excellent picture, but one the success

of which will depend upon the taste of your audience.

NOTE.—I saw this picture Thursday night, November 10, the twelfth day of the engagement. There were about 75 seats empty, and I do not know how many attended the performance on passes. This means that the fame of the author, of Marion Davies, and of Toscha Seidel, the famous Russian violinist, have not been able to keep full, on Broadway, a house that seats only 600. The picture is excellent but it seems to appeal only to the highly cultured.

"The Girl in the Pullman"—with Marie Prevost*(Pathe-DeMille, Oct. 30; 5,867 ft.; 68 to 83 min.)*

"The Girl in the Pullman" may be classed as a pretty good farce comedy, provided that the house is full or nearly full; if the house is empty, it could hardly be classed as more than fair. Its plot is thin, and whatever entertaining values it possesses, they are owed chiefly to the acting of Miss Prevost. Miss Prevost takes the part of the hero's ex-wife, who is determined that no other woman shall have the hero, despite the exhortations of the hero, who was engaged to another woman and feared lest his ex-wife's presence might spoil the affair. Most of the comedy comes from the hero's efforts to avoid the heroine, and where he could not avoid her to make his sweetheart believe that he had never seen the "stranger" before; and of the heroine, to make herself as conspicuous as possible, and to convey the thought that she and the hero knew each other. Other comedy is caused by the hero's efforts to avoid being found in the stateroom alone with his ex-wife. The story ends with the re-marriage of the hero to his ex-wife.

The plot has been founded on the story "The Girl in Upper C," by Wilson Collison; it has been directed by Erle C. Kenton, from a continuity and adaptation by F. McGrew Willis. Miss Prevost does good work. Mr. Harrison Ford, who plays the part of the hero, a doctor, does good work, too. Franklin Pangborn, as the hero's friend, is comical. Kathryn McGuire, Ethel Wales and Mary Myers, do well in the supporting cast.

"Pajamas"—with Olive Borden and Lawrence Gray*(Fox, Oct. 23; 5,876 ft.; 68 to 84 min.)*

Not a bad romance, with comedy situations. The story is slight, but well told. The picture was photographed in the Canadian Rockies. The director selected vantage points in filming the scenes. As a result, the background is beautiful. The hero's taming of the heroine, a girl that never takes anything seriously, who all the while teased and taunted the hero, until she finally fell in love with him, is the theme. The scenes up in the mountain, where the hero "mistreats" the heroine, telling her to keep on her side of the line and not to bother him, are humorous. Earlier in the story some comedy is caused when the hero finds out that the young woman, who had "hogged" the road with her car was no other than the daughter of the man to whom he was about to sell some property in Canada.

Their being stranded high up in the Canadian Sierras was caused by the fact that the hero had wetted the papers that were describing his property and it was necessary for him to have them the following day at the latest if he wanted to put the deal through. The heroine's father suggests to the hero to go to Canada in his plane, piloted by a famous pilot. Unperceived, the heroine takes the seat of the pilot, and, when the hero entered, she "lets her go." The hero discovers the identity of the pilot too late to do him any good. While over the Canadian Sierras, one of the wings breaks off, and the two are compelled to descend in parachutes.

They are eventually rescued by her father and her lazy fiancé, whom the heroine discards for the hero.

It may be classed as a fairly entertaining program picture.

"The Gorilla"—with a Star Cast

(First National, Nov. 13; 7,133 ft.; 83 to 102 min.)

I believe that First National has hit upon another good one. "The Gorilla" is a creepy, suspenseful melodrama, of the "Bat" and "The Cat and the Canary" type, only more breath-taking, if that is possible. The scenes, for example, where the gorilla takes hold of Charles Murray, while Mr. Murray is looking for the gorilla on the roof, and holds him with his hand hanging over the roof, ready to drop him to be dashed on the pavement below, will take one's breath away. The scenes where the gorilla is shown following Mr. Murray, who is unaware of the danger that dogs his steps, will surely stop one's breath completely, particularly in the scenes where the gorilla is shown listlessly and lazily swinging his hands as if to grab Mr. Murray, the latter just escaping by making a timely involuntary movement ahead, away from the death-dealing hands of the gorilla. The scenes that show the heroine coming face to face with the gorilla and swooning, being taken by the gorilla in his arms, are other scenes that will stop one's breath completely. Throughout the picture, the element of mystery is maintained successfully; also the suspense. Whoever made up as a gorilla deserves great praise, for he acts as if he were a real gorilla; the fur appears real, and the movement of his body and the swing of his hands are no different from the movements and swingings of the real animal.

The plot has been founded on the famous play by Ralph Spence; it has been directed most skillfully by Alfred Santell. Charles Murray and Fred Kelsey make an excellent pair of detectives; only that Mr. Murray causes most of the comedy. Alice Day makes a good heroine. Tully Marshall, Claude Gillingwater, Walter Pidgeon, Gaston Glass, Aggie Herring, Syd Crossley, and Brooks Benedict are in the cast; they all do good work.

The story revolves around a young villain, friend of the heroine's father, who defrauds him of a considerable sum of money, and who, because he was suspected of the theft, murders him and then hires from an Italian a trained gorilla to make it appear as if the gorilla had murdered him. In the end, his deception becomes known and he is arrested. The heroine's young fiancé is thus freed of the suspicion of having committed the crime, to the joy of the heroine, who had never ceased to have faith in him.

It should please everywhere, particularly where strong pictures are liked.

"My Best Girl"—with Mary Pickford

(United Art., Approx. 8,500 ft.; Rel. Date Not Set.)

Not a bad romance, but nothing to brag about. It is pleasing, and in many situations one is made to laugh, the comedy being caused by the situations, by the subtitles, and by Miss Pickford's acting. The story is the shop-worn tale of the poor girl that marries a rich young man. Only that director Sam Taylor has handled it more skillfully than similar stories are usually handled by other directors. The love affair between Charles Rogers, who takes the part of the son of a millionaire father, chain store owner, and Miss Pickford, who poses as Maggie, is charming. The scenes where the young hero (who poses as Joe Grant, instead of as Joe Merrill, his right name, his desire being to make success in life without even his father's name), is shown taking the heroine to his parents' home by telling her that the Merrills want to see their employee "drop in for dinner" now and then, are comical. By winking his eye, the hero "tips" the butler off so that the innocent deception might not be disclosed. The heroine is embarrassed and wants to go away, fearing lest the Merrills should show up and scold them for their audacity, but the young hero reassures her.

The scenes at the table, where the heroine reprimands the hero for eating his lobster cocktail with a fork rather than with a spoon, are amusing. The scenes that show the father offering the heroine a check for ten thousand dollars so that she might give up his son are dramatic; but they have been overdone a little: the heroine, because she loved the hero and did not want to spoil his future, pretended

that she did not love him, and that she would accept the money to give him up.

Adults should receive fair satisfaction out of it. Children should enjoy it well. But it is not a story for Mary Pickford, however well it has been done.

Note: I went to review this picture at the Rialto Monday night, the third day of the engagement, at 8:15. The weather was ideal; it was crisp, but not too cold—almost made for the theatres. And yet there were empty seats in the house, when an ordinary picture would have had people standing up at that time of the evening. There were empty seats even at 9:30, before the performance was over.

"Dead Man's Curve"—with Douglas Fairbanks, Jr., and Sally Blaine

(F. B. O., Jan. 15; 5,511 ft.; 64 to 78 min.)

Evidently this picture was made for the purpose of using up the odd and ends of the Santa Monica auto racing scenes, which were taken for "The Racing Romeo," with Red Grange, another F. B. O. picture; for, several shots are almost the same as shots seen in "The Racing Romeo."

"Dead Man's Curve" is only a fair program picture, with Douglas Fairbanks, Jr., as the hero, trying to convince people that his motor, an invention of his own, is a good motor and that it could beat at the auto races anything on wheels; and with the villain, manager of the heroine's father's automobile works, desperately trying to prevent the hero from being given a chance to try his motor, lest he succeed in winning the race, for he felt that, should he win the race, he would win also the heroine, whom he wanted as a wife for himself. In the development, the hero is, of course, shown succeeding, for the heroine, unknown to the hero, backs him up through a friend.

The plot has been founded on the story "The Century Championship," by Frank Richardson Pierce; it has been directed by Richard Rosson, from a screen adaptation by Ewart Adamson.

If you have it bought, do not play it close to the days you will play "The Racing Romeo."

"Body and Soul"—with Aileen Pringle, Norman Kerry, Lionel Barrymore, and T. Roy Barnes

(Metro-Gold., Oct. 11; 5,902 ft.; 68 to 84 min.)

Poor! It is no entertainment; no one can be entertained with the doings of a perverted mind. The villain marries the heroine by making her believe that the hero did not love her. Several months later the hero goes to the heroine to find out why she had not been answering his letters. He meets the villain and learns that the heroine had married him. The liquor crazed villain, fearing lest the hero take her away from him, brands her with a hot iron, so that she might always be his property. Later on the hero, fearing lest the villain do some harm to the heroine, goes to her rescue; he finds her in pains from the branding, and goes for a doctor. While skiing a snow avalanche occurs and he is dangerously injured. He is found by some mountain climbers and taken to a cabin nearby. They then go to town for a doctor. The villain is the only doctor in the vicinity, and he is induced to go with them to treat the injured man. When he finds out that the man that was hurt was the hero, and that he was nursed by the heroine, he decides to kill him. But in the end, his crazed mind relents; he operates on the hero and saves his life. He then commits suicide by jumping in a chasm.

Such are the doings of the villain; they are certainly most unpleasant.

The hero does not do anything that would arouse the spectator's good will either; his characterization is poor; one does not know at first whether he really loves the heroine or he considers her only as a passing fancy. It is only toward the end that one realizes that he loves her.

The picture has been produced well. Its action unfolds in Switzerland. The plot has been founded on a story by Katherine Newlin Burt; it has been directed by Reginald Barker.

THE BLUE SECTION THIS WEEK

The Blue Section this week contains more information than it has ever contained. In addition to the First National Exhibition Values, the two-reel comedies of all distributors, and the News Weeklies' Release Chart with the release dates of the different Newsweeklies, there are given the one-reel comedies of all national distributors, and the feature picture release schedules of all national distributors and of the worth-while regional distributors. This section is veritably Pandora's Box; it is "The Industry in Four Pages." This one section alone is worth to an exhibitor more than the price of the yearly subscription.

Notice that, in the release schedules of the national distributors, also the release or identification numbers of the pictures are given. This should prove of inestimable value to every exhibitor.

No identification or release numbers are given with the regional distributors' pictures, because such numbers are not the same in all the exchanges.

It is difficult for the average person to realize the amount of work involved in the preparation of this Blue Section, as of all Blue Sections. Suffice it to say that for three straight weeks I tried hard to get the Fox feature release schedule, but, despite such efforts and the promises of the Fox second-rank executives, I have not succeeded in obtaining it. It seems as if the Fox subordinates fear to open their mouths to me. In fact, I understand that they become panic-stricken whenever, during the absence of Jimmy Grainger, I call them up on the telephone for information.

There is no reason why I should not be able to get such information without any effort from Fox as I get it from every other producer-distributor. But I am not able to; and I would have asked you to enter a strong protest, were it not for the fact that Jimmy Grainger is out of town and I know that none of the lesser executives dares give any information out during his absence—if he wants to retain his scalp. For this reason, I am not asking you to protest, for I am sure that when Jimmy Grainger returns, I shall be able to obtain this information without any trouble.

In the last two Blue Sections I informed you that I could not obtain the data from Metro-Goldwyn. Because this time I wanted to have the section as complete as possible, I wrote a letter to Mr. Felix Feist, asking for it. Mr. Feist was out of town at the time I sent it. Upon his return, however, he sent me all the information I asked for, and showed a willingness to co-operate with this paper in such matters. I am giving you this information so that you may know that I do not hesitate to give credit to him to whom credit is due.

I want to enrich the Blue Section further; I want to give in it anything that will prove helpful to an exhibitor, within reason, taking into consideration the limitations of Harrison's Reports—the fact that all its revenue comes from the subscriptions. To this end, I am asking you to send me suggestions.

Let me say at this time that the suggestion from several subscribers to give the release or identification number of a picture with the title in the review is impracticable, for the reason that, in the first place, it will be difficult to obtain the numbers at the last minute, causing unavoidable delay in the mailing of the paper; in the second, figures taken over the telephone are liable, because of sound distortion, to be wrong; and thirdly, it may

cause confusion, because of the fact that the pictures of the national distributors will have numbers and those of the regional distributors will not. To offset these difficulties and disadvantages, I have decided to print all the schedules, with the numbers and release dates, so that he who wants to know a picture's release number may find it in such schedule.

Let constructive, practical suggestions for the improvement of Harrison's Reports, your paper, come forward.

COMMENDATION FROM GREAT BRITAIN

Under date of October 11, I received the following letter from Mr. Arthur S. Albin, of The Regent, Edinburgh, Scotland, and President of the East of Scotland Section of The Cinematograph Exhibitors Association of Great Britain and Ireland:

"Dear Mr. Harrison:

"I wish you would change the address of my REPORTS from Tollcross Cinema, Edinburgh, to The Regent Picture House, Abbeymount, Edinburgh. I am now Resident Manager of Edinburgh's new Super-Cinema, and I need Harrison's Reports more than ever.

"With all good wishes from a satisfied subscriber to your paper for many years, I am,

"Sincerely yours,

"A. S. ALBIN."

I wrote to Mr. Albin, asking him if I could reproduce his letter in Harrison's Reports. The following is his reply, under date of October 31st:

"Dear Pete:

"Many thanks for reply re change of address.

"About reproducing my letter: Yes You may do so in your 'little paper,' as you call it. It is little, but it has a big voice, and a hammer punch behind it. I hope you will be spared to continue using the blows on the exhibitors' behalf, as you have been doing since I first sent my subscription, which I think was about 1922.

"While I am writing, I am enclosing my check for £3 for 1928."

"P. S. I have addressed you as 'Pete.' Excuse the familiarity; I have become so intimate with you through your paper that I cannot help it."

NOT THE TITLE BUT THE STORY

Mr. George Gerhard, motion picture critic of "The New York Evening World," thus wrote in the issue of November 10:

Metro-Goldwyn-Mayer believes it has stumbled upon the reason why Lillian Gish's "Annie Laurie" proved such a disappointment, particularly in this city. And that is that the title killed it.

Investigation revealed that the public was led by the title to believe that "Annie Laurie" was another of those costume plays and that thousands kept away from it for that reason. As a result it flopped in several houses throughout the country.

Now M-G-M- is taking a long chance in Los Angeles, according to advices from that city, by changing the title of the picture to "Ladies From Hell," in the belief that the picture really is a winner instead of a loser. It will open in the California city under that title on Monday. "Ladies From Hell," by the way, is the title given the Scottish kilted troops in the late war.

The trouble is not with the title but with the picture; it is not entertaining, and the picture-goers know it; they know when a picture is bad just as they know when it is good.

IN TWO SECTIONS—SECTION TWO

HARRISON'S REPORTS

Vol. IX

SATURDAY, NOVEMBER 19, 1927

No. 47

Partial Index No. 6—Pages 161 to 184

Angel of Broadway, The—Pathe-DeMille.....	179
Becky—Metro-Goldwyn	167
Broadway Madness—Excellent-Reg.....	175
Bugle Call, The—Metro-Goldwyn.....	162
Cherokee Kid, The—F. B. O.....	182
College Widow, The—Warner Bros.....	171
Crystal Cup, The—First Nat.....	162
Devil's Twin, The—Pathe.....	170
Dog of the Regiment, A—Warner Bros.....	178
Dress Parade—Pathe-DeMille	178
East Side, West Side—Fox.....	170
Fair Co-Ed, The—Metro-Goldwyn.....	175
Firemen, Save My Child—Paramount.....	170
Flourflusher, The—Universal	178
Flying Luck—Pathe	182
Forbidden Woman, The—Pathe-DeMille.....	179
Frontiersman, The—Metro-Goldwyn	174
Garden of Allah—Metro-Goldwyn.....	155
Gay Reroute, The—Fox.....	175
Gentleman of Paris, A—Paramount.....	167
Girl from Chicago, The—Warner Bros.....	182
Harp in Hock, A—Pathe-DeMille.....	182
Harvester, The—F. B. O.....	178
High School Hero—Fox.....	175
Hook and Ladder No. 9—F. B. O.....	166
Jazz Singer, The—Warner Bros.....	171
Jesse James—Paramount	171
Loves of Carmen, The—Fox.....	163
Magic Flame, The—United Artists.....	162
Main Event, The—Pathe-DeMille.....	183
Million Dollar Mystery, The—Rayart Reg.....	167
Nest, The—Excellent-Reg.	163
No Place to Go—First National.....	179
Once and Forever—Tiffany.....	170
Pretty Clothes—Sterling Reg.....	174
Racing Romeo, The—F. B. O.....	171
Reno Divorce, A—Warner Bros.....	174
Road to Romance, The—Metro-Goldwyn.....	170
"Sailor Izzy Murphy"	166
Sailor's Sweetheart, A—Warner Bros.....	163
Silver Valley—Fox	162
Singleshot Kid, The—F. B. O.....	183
Spring Fever—Metro-Goldwyn	174
Stranded—Sterling	166
Student Prince, The—Metro-Goldwyn.....	163
Tea for Three—Metro-Goldwyn.....	179
Tell It to Sweeney—Paramount.....	175
Twelve Miles Out—Metro-Goldwyn.....	147
Two Arabian Knights—United Artists.....	175
Uncle Tom's Cabin—Universal.....	183
We're All Gamblers—Paramount.....	167
Women's Wares—Tiffany	182

FIRST NATIONAL PICTURE EXHIBITION VALUES

362 Lunatic at Large—Jan. 2.....	700,000B—700,000P
396 Lady in Ermine—Jan. 9.....	1,100,000B—1,100,000P
388 The Perfect Sap—Jan. 16.....	800,000B—700,000P
383 The Masked Woman—Jan. 23.....	600,000B—600,000P
420 The Overland Stage—Jan. 30.....	700,000B—700,000P
366 McFadden's Flats—Feb. 6.....	Special
416 Affair of the Follies—Feb. 13.....	750,000B—900,000P
381 Easy Pickings—Feb. 20.....	700,000B—650,000P
403 The Sea Tiger—Feb. 27.....	950,000B—950,000P
392 Orchids and Ermine—Mar. 6.....	1,300,000B—1,300,000P
408 High Hat—Mar. 13.....	900,000B—600,000P
318 Venus of Venice—Mar. 20.....	Special
387 Notorious Lady—Mar. 27.....	800,000B—800,000P
394 Three Hours—Apr. 3.....	1,100,000B—1,100,000P
421 Somewhere in Sonora—Apr. 3.....	500,000B—500,000P
370 Long Pants—Apr. 10.....	1,000,000B—1,000,000P
382 See You in Jail—Apr. 17.....	800,000B—800,000P
374 Convoy—Apr. 24	Special
364 The Tender Hour—May 1.....	Special
412 All Aboard—May 8.....	800,000B—800,000P
410 Broadway Nights—May 13.....	900,000B—900,000P
423 Babe Comes Home—May 22.....	Special
367 Lost at the Front—May 29.....	Special
418 Land Beyond the Law—June 6.....	500,000B—600,000P

377 The Sunset Derby—June 3.....	700,000B—700,000P
407 Dance Magic—June 12.....	900,000B—800,000P
404 Framed—June 19	950,000B—950,000P
391 Naughty But Nice—June 26.....	1,300,000B
385 Lonesome Ladies—July 3.....	700,000B
422 The Devil's Saddle—July 10.....	500,000B
443 The Prince of Headwaiters—July 17.....	900,000B
413 White Pants Willie—July 24.....	800,000B
409 For the Love of Mike—July 31.....	900,000B
548 Poor Nut—Aug. 7.....	1,000,000B
432 The Stolen Bride—Aug. 14.....	1,100,000B
405 Hard Boiled Haggerty—Aug. 21.....	950,000B
428 Three's a Crowd—Aug. 28.....	1,000,000B
368 Camille—Sept. 4	Special
465 The Red Raiders—Sept. 4.....	700,000B
450 Smile, Brother, Smile—Sept. 11.....	900,000B
453 The Life of Riley—Sept. 18.....	1,100,000B
400 The Drop Kick—Sept. 25.....	1,100,000B
545 Rose of the Golden West—Oct. 2.....	Special
433 American Beauty—Oct. 9.....	1,100,000B
379 The Crystal Cup—Oct. 16.....	900,000B
319 Breakfast at Sunrise—Oct. 23.....	Special
457 No Place to Go—Oct. 30.....	800,000B
469 Gun Gospel—Nov. 6.....	500,000B
547 The Gorilla—Nov. 13.....	Special
542 Helen of Troy—Nov. 20.....	Special
452 Man Crazy—Nov. 27.....	900,000B

COLUMBIA FEATURE PICTURE RELEASES

1927-28 Product

Aug. 10—"The Blood Ship".....	Hobart Bosworth
Aug. 22—"Alias the Lone Wolf".....	Bert Lytell
Sept. 3—"Sally in Our Alley".....	Shirley Mason
Sept. 15—"By Whose Hand?".....	Ricardo Cortez
Sept. 27—"Isle of Forgotten Women"....	Conway Tearle
Oct. 9—"The College Hero".....	Bobby Agnew
Oct. 21—"The Tigress".....	Jack Holt
Nov. 2—"Stage Kisses".....	Kenneth Harlan
Nov. 14—"The Opening Night".....	Claire Windsor
Nov. 26—"The Warning"	Jack Holt
Dec. 8—"So This Is Love".....	Viola Dana
Dec. 20—"The Siren".....	Dorothy Revier

EXCELLENT FEATURE PICTURE RELEASES

1927-28 Product

7489 "The Nest"—Pauline Frederick.....	Aug. 1
5867 "Your Wife and Mine"—Phyllis Haver....	Sept. 1
6300 "B'way Madness"—Marguerite de la Motte.....	Oct. 1
6900 "A Bowery Cinderella"—Pat O'Malley.....	Nov. 1
6100 "Back to Liberty"—George Walsh.....	Dec. 1
6800 "Satan and the Woman"—Claire Windsor...	Jan. 1

FIRST DIVISION FEATURE PICTURE RELEASES

1927-28 Product

July 24—"Satin Woman".....	Mrs. Wallace Reid
July 31—"Million Dollar Mystery".....	James Kirkwood
Aug. 7—"Rose of Kildare".....	Pat O'Malley
Aug. 14—"Silent Hero".....	Edna Murphy
Aug. 21—"Return of Boston Blackie"....	Corliss Palmer
Aug. 28—"Girl From Rio".....	Carmel Myers
Sept. 4—"Cruise of the Hellion".....	Tom Santchi
Sept. 11—"Better Days".....	Dorothy Devore
Sept. 18—"Boy of the Streets".....	Micky Bennett
Sept. 25—"Gun Hand Garrison".....	Tex Maynard
Oct. 2—"Death Valley".....	Carrol Nye
Oct. 9—"Cabaret Kid".....	Geo. Hackethorne
Oct. 16—"Light in the Window".....	Henry B. Walthal
Oct. 23—"Finnigan's Ball".....	Cullen Landis
Oct. 30—"On the Stroke of 12".....	David Torrence
Nov. 6—"Wheel of Destiny".....	Georgia Hale
Nov. 13—"Cheer Leader".....	Ralph Graves
Nov. 20—"Casey Jones".....	Ralph Lewis
Nov. 27—"Heroes in Blue".....	John Bowers
Dec. 3—"The Miracle Girl".....	Betty Compson
Dec. 10—"The Law and the Man"....	Gladys Brockwell
Dec. 17—"Ridin' Luck".....	Tex Maynard

F. B. O. FEATURE RELEASE SCHEDULE**1927-28 Product**

Aug. 7—8291—"Breed of Courage".....Ranger
 Aug. 15—8201—"Great Mail Robbery,"

Theodore Von Eltz
 Aug. 21—8212—"The Coward".....Warner Baxter
 Aug. 31—8205—"Not for Publication".....Ralph Ince
 Sept. 4—8221—"Flying U Ranch".....Tom Tyler
 Sept. 17—8202—"Clancy's Kosher Wedding,"

George Sidney
 Sept. 18—8216—"In a Moment of Temptation,"

Charlotte Stevens
 Sept. 25—8231—"The Mojave Kid".....Bob Steele
 Oct. 2—8203—"Gingham Girl".....Lois Wilson
 Oct. 9—8292—"Ranger of the North".....Ranger
 Oct. 16—8213—"Jake the Plumber".....Jesse Devorska
 Oct. 19—82010—"Shanghaied".....Ralph Ince
 Oct. 23—8241—"Boy Rider".....Buzz Barton
 Oct. 30—8222—"Cherokee Kid".....Tom Tyler
 Nov. 6—8204—"Judgment of the Hills".....Virginia Valli
 Nov. 13—8211—"Hook and Ladder No. 9,"

Cornelius Keefe
 Nov. 20—8232—"The Bandit's Son".....Bob Steele
 Nov. 23—8206—"The Harvester".....Orville Caldwell
 Dec. 4—8242—"Slingshot Kid".....Buzz Barton
 Dec. 10—82013—"South Sea Love".....Patsy Ruth Miller
 Dec. 11—8293—"The Swift Shadow".....Ranger, the Dog
 Dec. 18—82112—"Aflame in the Sky".....Sharon Lynn
 Dec. 25—8223—"Desert Pirate".....Tom Tyler
 Dec. 27—8208—"Legionnaires in Paris".....Al Cooke

SPECIALS

June 25—8381—"Moon of Israel".....Maria Corda
 Oct. 17—8382—"Racing Romeo"....."Red" Grange

GOTHAM FEATURE PICTURE RELEASES**1927-28 Product**

Sept. 1—"The Satin Woman".....Mrs. Wallace Reid
 Aug. 15—"The Rose of Kildare".....Helene Chadwick
 Sept. 15—"The Girl From Rio".....Carmel Myers
 Oct. 15—"Blondes by Choice".....Claire Windsor
 Nov. 15—"The Cheer Leader".....Ralph Graves
 Dec. 15—"The Fruit of Divorce".....Percy Marmont

METRO-GOLDWYN-MAYER FEATURE PICTURE RELEASE SCHEDULE**1927-28 Product**

Sept. 3—844—"Foreign Devils".....Tim McCoy
 Sept. 10—851—"The Big Parade".....John Gilbert
 Sept. 17—836—"Annie Laurie".....Lillian Gish
 Sept. 24—729—"Road to Romance".....Ramon Novarro
 Oct. 8—850—"Ben Hur".....Ramon Novarro
 Oct. 11—809—"Body and Soul".....Norman Kerry
 Oct. 15—736—"The Fair Co-Ed".....Marion Davies
 Oct. 22—815—"Spring Fever".....Wm. Haines
 Oct. 29—823—"In Old Kentucky".....James Murray
 Nov. 5—837—"Garden of Allah".....Alice Terry
 Nov. 12—818—"Becky".....Owen Moore
 Nov. 19—834—"Man, Woman and Sin".....John Gilbert
 Nov. 26—801—"Thirteenth Hour".....Dog Picture
 Dec. 3—838—"London After Midnight".....Lon Chaney
 Dec. 10—847—"Spoilers of the West".....Tim McCoy
 Dec. 10—804—"Tea For Three".....Aileen Pringle
 Sept. 17—820—"The Lovelorn".....Sally O'Neil
 Dec. 24—808—"Buttons".....Jackie Coogan
 Dec. 31—824—"Bridal Night".....Norma Shearer

PARAMOUNT FEATURE RELEASE SCHEDULE**1927-28 Product**

Aug. 1—2771—"Beau Geste".....Ronald Colman
 Aug. 1—2701—"Firemen, Save My Child,"

Beery—Hatton
 Aug. 6—2776—"The Covered Wagon".....Re-issue
 Aug. 6—2730—"Service for Ladies".....Adolphe Menjou
 Aug. 13—2773—"Metropolis".....Special Cast
 Aug. 13—2747—"Mme. Pompadour".....Dorothy Gish
 Aug. 20—2744—"Running Wild".....W. C. Fields
 Aug. 27—2706—"Hula".....Clara Bow
 Aug. 27—2680—"Soft Cushions".....Douglas MacLean
 Sept. 3—2779—"Chang".....Special
 Sept. 3—2721—"We're All Gamblers".....Thomas Meighan
 Sept. 10—2719—"Barbed Wire".....Pola Negri
 Sept. 10—2752—"Nevada".....(Zane Grey) Gary Cooper
 Sept. 17—2725—"Swim, Girl, Swim".....Bebe Daniels

Sept. 17—2748—"Stark Love".....Special Cast
 Sept. 24—2735—"One Woman to Another".....Flor. Vidor
 Sept. 24—2710—"Tell It To Sweeney".....Chester Conklin
 Oct. 1—2778—"The Rough Riders".....Noah Beery
 Oct. 1—2780—"The Way of All Flesh".....Emil Jannings
 Oct. 8—2739—"Figures Don't Lie".....Esther Ralston
 Oct. 8—2756—"Shootin' Irons".....Jack Luden
 Oct. 15—2715—"Shanghai Bound".....Richard Dix
 Oct. 15—2731—"A Gentleman of Paris".....Adolphe Menjou
 Oct. 22—2774—"Jesse James".....Fred Thomson
 Oct. 22—2702—"Now We're in the Air".....Wallace Beery
 Oct. 29—2781—"Underworld".....George Bancroft
 Oct. 29—2720—"Woman On Trial".....Pola Negri
 Nov. 5—2753—"Open Range".....Lane Chandler
 Nov. 12—2726—"She's a Sheik".....Bebe Daniels
 Nov. 12—2722—"The City Gone Wild".....Thomas Meighan
 Nov. 19—2740—"The Spotlight".....Esther Ralston
 Nov. 26—2749—"The Last Waltz".....Ufa
 Dec. 3—2736—"Honeymoon Hate".....Florence Vidor
 Dec. 10—2782—"The Street of Sin".....Emil Jannings
 Dec. 10—2716—"The Gay Defender".....Richard Dix
 Dec. 17—2711—"Two Flaming Youths".....W. C. Fields
 Dec. 24—2745—"The Secret Hour (Tent)".....Pola Negri
 Dec. 31—2732—"Serenade".....Adolphe Menjou
 Jan. 7—2772—"Beau Sabreur".....Gary Cooper
 Jan. 7—2705—"Now We're in Dutch".....Wallace Beery
 Jan. 21—2761—"Honky Tonk".....George Bancroft
 Jan. 14—2707—"Get Your Man".....Clara Bow
 Jan. 14—2741—"The Glory Girl" (Tent).....Esther Ralston
 Jan. 21—2713—"The Pioneer Scout".....Fred Thomson

PATHE-DeMILLE FEATURE RELEASE SCHEDULE**1927-28 Product**

Aug. 29—330—"Fighting Eagle".....Rod LaRocque
 Oct. 10—302—"Angel of Broadway".....Leatrice Joy
 Oct. 24—308—"Wise Wife".....Phyllis Haver
 Oct. 31—307—"Girl in the Pullman".....Marie Prevost
 Nov. 7—335—"The Forbidden Woman".....Jetta Goudal
 Nov. 11—331—"The Dress Parade".....William Boyd
 Nov. 11—332—"The Wreck of the Hesperus,"
 Virginia Bradford
 Nov. 18—306—"The Main Event".....Vera Reynolds
 Nov. 27—312—"My Friend From India,"
 Franklin Pangborn

Dec. 10—320—"On To Reno".....Cruze Picture
 Dec. 18—300—"Almost Human".....Vera Reynolds
 Dec. 31—301—"The Rush Hour".....Marie Prevost

UNIVERSAL FEATURE RELEASE SCHEDULE**1927-28 Product**

Sept. 4—A5695—"Back to God's Country".....Renee Adoree
 Sept. 18—A5691—"The Lone Eagle".....Kent-Keane
 Sept. 25—A5692—"Painted Ponies".....Hoot Gibson
 Oct. 2—A5693—"Silk Stockings".....Laura LaPlante
 Oct. 9—A5696—"Cheating Cheaters".....Compson-Harlan
 Oct. 23—A5690—"The Chinese Parrot".....All Star
 Nov. 6—A5700—"The Small Bachelor".....All Star
 Nov. 13—A5706—"The Thirteenth Juror,"

Bushman-Nilsson
 Nov. 20—A5708—"Gallop Fury".....Hoot Gibson
 Nov. 27—A5694—"Wild Beauty".....Rex-Marlowe
 Dec. 4—A5710—"The Irresistible Lover,"

Kerry-Moran
 Dec. 18—A5721—"Paris Or Bust".....Glenn Tryon
 Dec. 25—A5709—"A Man's Past".....Conrad Veidt
 Jan. 8—A5702—"Finders Keepers".....Laura LaPlante
 Jan. 22—A5719—"Alias the Deacon,"

Hersholt-Marlowe-Graves
 Jan. 29—A5697—"The Rawhide Kid".....Hoot Gibson
 Feb. 5—A5698—"The Shield of Honor".....All Star
 Feb. 19—A5704—"The Four Flushers".....George Lewis
 Feb. 26—A5701—"Midnight Rose".....DePutti-Harlan
 Mar. 4—A5705—"Surrender".....Philbin-Mosjukine
 Mar. 11—A5707—"The Girl Show".....All Star
 Mar. 18—A5703—"A Trick of Hearts".....Hoot Gibson
 Apr. 1—A5712—"Thanks for the Buggy Ride,"

Laura LaPlante-Tryon
 Apr. 8—A5714—"13 Washington Square".....All Star
 Apr. 22—A5711—"Buck Privates".....DePutti
 May 6—A5699—"Hot Heels".....Glenn Tryon
 May 20—A5713—"The Wild West Show".....Hoot Gibson
 June 3—A5717—"The Symphony,"

Hersholt-Nixon-Lewis
 June 17—A5715—"We Americans".....All Star

July 1—A5720—"The Count of Ten," Chas. Ray-Ralston-Greason
 July 8—A5718—"A Society Cowboy".....Hoot Gibson
 July 22—A5716—"The Grip of the Yukon".....All Star
 Aug. 19—A5722—"Riding For Fame".....Hoot Gibson

RAYART FEATURE RELEASE SCHEDULE

1927-28 Product

Jan.—"The Mystery Brand".....Ben Wilson
 Jan.—"Smiling Billy".....Billy Sullivan
 Jan.—"Speeding Hoofs".....Dick Hatton
 Jan.—"The Scorcher".....Reed Howes
 Jan.—"The Show Girl".....Mildred Harris, Gaston Glass
 Jan.—"Where North Holds Sway".....Jack Perrin
 Feb.—"A Yellow Streak".....Ben Wilson
 Feb.—"The Action Craver".....Dick Hatton
 Feb.—"The Laffin' Fool".....Jack Perrin
 Mar.—"Riders of the West".....Ben Wilson
 Mar.—"Saddle Jumpers".....Dick Hatton
 Mar.—"The Midnight Watch".....Roy Stewart
 Apr.—"Range Riders".....Ben Wilson
 Apr.—"Western Courage".....Dick Hatton
 Apr.—"The Lost Limited".....Reed Howes
 Apr.—"When Seconds Count".....Billy Sullivan
 Apr.—"Thunderbolt's Tracks".....Jack Perrin
 May—"Daring Deeds".....Billy Sullivan
 May—"Modern Daughters".....Edna Murphy
 June—"Speedy Smith".....Billy Sullivan
 June—"The Romantic Rogue".....Reed Howes
 July—"The Royal American".....Reed Howes
 Aug.—"The Racing Fool".....Reed Howes
 Aug.—"The Silent Hero".....Robert Frazer
 Aug.—"Million Dollar Mystery".....James Kirkwood
 Sept.—"Prince of the Plains".....Tex Maynard
 Sept.—"Cruise of the Hellion".....Edna Murphy
 Sept.—"A Boy of the Streets".....Johnny Walker
 Oct.—"Gun-Hand Garrison".....Tex Maynard
 Oct.—"A Light in the Window".....H. B. Walthall
 Oct.—"The Wheel of Destiny".....Forrest Stanely
 Oct.—"Ridin' Luck".....Tex Maynard
 Nov.—"A Wanderer of the West".....Tex Maynard
 Nov.—"Heroes in Blue".....John Bowers, Sally Rand
 Nov.—"On the Stroke of Twelve".....D. Torrence
 Dec.—"Wild Born".....Tex Maynard

TIFFANY FEATURE RELEASE SCHEDULE

1927-28 Product

Sept. 15—"The Girl From Gay Paree".....Barbara Bedford
 Oct. 1—"Women's Wares".....Evelyn Brent, Bert Lytell
 Oct. 15—"Once and Forever".....Patsy Ruth Miller
 Nov. 1—"Night Life".....Alice Day, John Harron
 Nov. 15—"Wild Geese".....Belle Bennett, Donald Keith
 Dec. 1—"The Haunted Ship".....Dorothy Sebastian
 Dec. 15—"Streets of Shanghai".....Kenneth Harlan
 Jan. 1—"A Woman Against the World".....Harrison Ford

UNITED ARTISTS FEATURE RELEASES

1927-28 Product

Oct.—"Topsy and Eva".....Duncan Sisters
 Oct.—"The Magic Flame".....Ronald Colman, Vilma Banky
 Nov.—"Two Arabian Knights".....William Boyd
 Nov.—"College".....Buster Keaton
 Dec.—"My Best Girl".....Mary Pickford
 Dec.—"Sorrrell and Son".....H. B. Warner
 Jan.—"The Circus".....Charles Chaplin
 Jan.—"Sadie Thompson".....Gloria Swanson
 Jan.—"Gauch".....Douglas Fairbanks
 Feb.—"The Garden of Eden".....Corrinne Griffith
 Feb.—"The Dove".....Norma Talmadge
 Feb.—"The Devil Dancer".....Gilda Gray, Clive Brook
 Mar.—"Drums of Love".....Mary Philbin, L. Barrymore
 Mar.—"Ramona".....Dolores Del Rio, Warner Baxter
 Mar.—"Tempest".....John Barrymore

WARNER BROS. FEATURE PICTURE RELEASES

1927-28 Product

Sept. 3—191—"The Bush Leaguer".....Monte Blue
 Sept. 10—205—"The Desired Woman".....Irene Rich
 Sept. 17—197—"Slightly Used".....May McAvoy
 Sept. 24—212—"Jaws of Steel".....Rin-Tin-Tin
 Oct. 1—198—"One Round Hogan".....Monte Blue
 Oct. 8—194—"A Sailor's Sweetheart".....Louise Fazenda

Oct. 22—195—"Sailor Izzy Murphy".....George Jessel
 Nov. 5—208—"A Reno Divorce".....May McAvoy
 Nov. 12—203—"A Dog of the Regiment".....Rin-Tin-Tin
 Nov. 19—204—"The Girl From Chicago".....Myrna Loy
 Nov. 26—210—"Good Time Charley".....Warner Oland
 Dec. 3—217—"The Silver Slave".....Irene Rich
 Dec. 10—196—"Ginsberg the Great".....George Jessel
 Dec. 17—207—"Brass Knuckles".....Monte Blue

STERLING FEATURE PICTURE RELEASES

1927-28 Product

Aug. 15—"Stranded". Shirley Mason, William Collier, Jr.
 Oct. 15—"Pretty Clothes".....Jobyna Ralston
 Dec. 15—"Outcast Souls".....Priscilla Bonner
 Jan. 30—"Burning Up Broadway". (No cast announced)

RELEASE SCHEDULE FOR ONE AND TWO REEL COMEDIES

Paramount—One Reel

Oct. 1—Koko the Kop.....Inkwell
 Oct. 8—Tired Wheels.....Krazy Kat
 Oct. 15—Koko Explores.....Inkwell
 Oct. 22—Topsy Turvey.....Krazy Kat
 Oct. 29—Koko Chops Suey.....Inkwell
 Nov. 5—The Pie Cure.....Krazy Kat
 Nov. 12—Koko's Klock.....Inkwell
 Nov. 19—For Crimes Sake.....Krazy Kat
 Nov. 26—Koko Kicks.....Inkwell
 Dec. 3—Milk Made.....Krazy Kat
 Dec. 10—Koko's Quest.....Inkwell
 Dec. 17—The Stork Exchange.....Krazy Kat
 Dec. 24—Koko the Kid.....Inkwell
 Dec. 31—Wired and Fired.....Krazy Kat

Paramount—Two Reels

Sov. 5—Find the King.....Christie
 Nov. 12—Easy Curves.....Christie
 Nov. 19—Ocean Blues.....Christie
 Nov. 26—Mad Scrambles.....Christie
 Dec. 3—Splash Yourself.....Christie
 Dec. 10—Toddles.....Novelty
 Dec. 17—Dizzy Sights.....Christie
 Dec. 24—Nifty Nags.....Christie
 Dec. 31—Swiss Movements.....Christie

Universal—One Reel

Oct. 3—The Mechanical Cow.....Oswald Cartoon
 Oct. 10—Saxaphobia.....Snappy Comedy
 Oct. 17—Great Guns.....Oswald Cartoon
 Oct. 24—Hot Stuff.....Snappy Comedy
 Oct. 31—All Wet.....Oswald Cartoon
 Nov. 7—The Love Wallop.....Snappy Comedy
 Nov. 14—The Ocean Hop.....Oswald Cartoon
 Nov. 21—Scrambled Honeymoon.....Snappy Comedy
 Nov. 28—The Banker's Daughter.....Oswald Cartoon
 Dec. 5—Swell Clothes.....Snappy Comedy
 Dec. 12—Harem Scarem.....Oswald Cartoon
 Dec. 19—A Rattling Good Time.....Snappy Comedy
 Dec. 26—Riskety Gin.....Oswald Cartoon

Universal—Two Reels

Nov. 2—Passing the Joneses.....Stern Bros.
 Nov. 7—The Newlyweds' Mistake.....Stern Bros.
 Nov. 9—The Disordered Orderly.....Stern Bros.
 Nov. 14—Ocean Bruises.....Gump-Univ. Spec.
 Nov. 16—Buster! What's Next.....Stern Bros.
 Nov. 23—Oh Mabel.....Stern Bros.
 Nov. 28—A Total Loss.....Gump-Univ. Spec.
 Nov. 30—On Deck.....Stern Bros.
 Dec. 5—Newlywed's Friends.....Stern Bros.
 Dec. 7—Showing Off.....Stern Bros.
 Dec. 12—Andy Nose His Onions.....Gump-Univ. Spec.
 Dec. 14—Run Buster.....Stern Bros.
 Dec. 21—There's a Will.....Stern Bros.
 Dec. 26—The Mild West.....Gump-Univ. Spec.
 Dec. 28—Model George.....Stern Bros.

F. O. B.—One Reel

Sept. 4—Newsflaff No. 1.....Newsflaff Series
 Sept. 18—Newsflaff No. 2.....Newsflaff Series
 Oct. 2—Newsflaff No. 3.....Newsflaff Series
 Oct. 16—Newsflaff No. 4.....Newsflaff Series
 Oct. 30—Newsflaff No. 5.....Newsflaff Series
 Nov. 13—Newsflaff No. 6.....Newsflaff Series
 Nov. 27—Newsflaff No. 7.....Newsflaff Series
 Dec. 11—Newsflaff No. 8.....Newsflaff Series
 Dec. 25—Newsflaff No. 9.....Newsflaff Series

F. O. B.—Two Reels

Nov. 7—Mickey's Eleven.....Mickey McGuire
Nov. 14—Fleshy Devils.....Standard Comedy
Dec. 5—Mickey's Battle.....Mickey McGuire
Dec. 12—Three Missing Links.....Standard Comedy

Educational—One Reel

Oct. 2—Switches Witches.....Felix the Cat
Oct. 9—Eats for Two...Dunham-Thompson-Cameo
Oct. 16—No Fuelin'.....Felix the Cat
Oct. 16—Here and There in Travel Land,

Hodge Podge

Oct. 23—Burning Timber—Rough Country,
Outdoor Sketches

Oct. 23—Shooting Wild.....Lloyd-Cameo
Oct. 30—Daze and Knights.....Felix the Cat
Oct. 30—For Men Only.....Curiosities
Nov. 6—He Tried to Please...Collins-Hutton-Cameo
Nov. 13—Uncle Tom's Crabbin'.....Felix the Cat
Nov. 13—Models in Mud.....Hodge Podge
Nov. 20—Many Wings—Beside the Still Waters,

Outdoor Sketches

Nov. 20—Rest Day.....Cameo Comedy
Nov. 27—Whys and Other Whys.....Felix the Cat
Dec. 4—Lovingly Yours.....Curiosities
Dec. 4—Ain't Nature Grand?.....Quillan-Cameo
Dec. 11—Hits the Deck.....Felix the Cat
Dec. 11—A Whirl of Activity.....Hodge Podge
Dec. 18—It's Me.....Collins-Cameo Comedy
Dec. 25—Injun Food—Moods of the Sea,

Outdoor Sketches

Dec. 25—Behind in Front.....Felix the Cat

Educational—Two Reels

Nov. 6—Brunettes Prefer Gentlemen.Drew-Mermaid
Nov. 6—Some Scout.....Lupino Lane
Nov. 13—Scared Silly.....Arthur-Tuxedo
Nov. 20—The Little Rube.....Dorothy Devore
Nov. 27—Red Hot Bullets.....Quillan-Mermaid
Nov. 27—Shamrock Valley.....Big Boy Juvenile
Dec. 4—Oh What a Man.....Larry Semon Comedy
Dec. 11—Nothing Flat.....Davis-Mermaid
Dec. 18—Papa's Boy.....Lloyd Hamilton
Dec. 25—Hello Sailor.....Lupino Lane
Dec. 25—Angel Eyes.....Big Boy Juvenile

Metro-Goldwyn-Mayer—One Reel

Aug. 27—An African Adventure.....Oddity
Sept. 10—Jewels of Venus.....Oddity
Sept. 24—Soaring Wings.....Oddity
Oct. 8—Dog Days.....Oddity
Oct. 22—Hidden Death Traps.....Oddity
Nov. 5—Assorted Babies.....Oddity
Nov. 19—A Fight for Life.....Oddity
Dec. 3—Winged Death.....Oddity
Dec. 17—The Lion Hunt.....Oddity
Dec. 31—The Parasol Ant.....Oddity

Metro-Goldwyn-Mayer—Two Reels

Sept. 3—The Sting of Stings.....Charley Chase
Sept. 10—Sugar Daddies.....All Star-Roach
Sept. 17—What Every Iceman Knows..Max Davidson
Sept. 24—Yale vs. Harvard.....Our Gang
Oct. 1—The Lighter That Failed....Charley Chase

Pathe

93 Odd Number.....Saturday, Nov. 12
94 Even Number...Wednesday, Nov. 16
95 Odd Number.....Saturday, Nov. 19
96 Even Number...Wednesday, Nov. 23
97 Odd Number.....Saturday, Nov. 26
98 Even Number...Wednesday, Nov. 30
99 Odd Number.....Saturday, Dec. 3
100 Even Number...Wednesday, Dec. 7
101 Odd Number.....Saturday, Dec. 10
102 Even Number...Wednesday, Dec. 14
103 Odd Number.....Saturday, Dec. 17
104 Even Number...Wednesday, Dec. 21

Fox

14 Even Number.....Saturday, Nov. 12
15 Odd Number...Wednesday, Nov. 16
16 Even Number.....Saturday, Nov. 19
17 Odd Number...Wednesday, Nov. 23
18 Even Number.....Saturday, Nov. 26
19 Odd Number...Wednesday, Nov. 30
20 Even Number.....Saturday, Dec. 3
21 Odd Number...Wednesday, Dec. 7
22 Even Number.....Saturday, Dec. 10
23 Odd Number...Wednesday, Dec. 14
24 Even Number.....Saturday, Dec. 17
25 Odd Number...Wednesday, Dec. 21

Paramount

31 Odd Number.....Saturday, Nov. 12
32 Even Number...Wednesday, Nov. 16
33 Odd Number.....Saturday, Nov. 19
34 Even Number...Wednesday, Nov. 23
35 Odd Number.....Saturday, Nov. 26
36 Even Number...Wednesday, Nov. 30
37 Odd Number.....Saturday, Dec. 3
38 Even Number...Wednesday, Dec. 7
39 Odd Number.....Saturday, Dec. 10
40 Even Number...Wednesday, Dec. 14
41 Odd Number.....Saturday, Dec. 17
42 Even Number...Wednesday, Dec. 21

International

92 Even Number.....Saturday, Nov. 12
93 Odd Number...Wednesday, Nov. 16
94 Even Number.....Saturday, Nov. 19
95 Odd Number...Wednesday, Nov. 23
96 Even Number.....Saturday, Nov. 26
97 Odd Number...Wednesday, Nov. 30
98 Even Number.....Saturday, Dec. 3
99 Odd Number...Wednesday, Dec. 7
100 Even Number.....Saturday, Dec. 10
101 Odd Number...Wednesday, Dec. 14
102 Even Number.....Saturday, Dec. 17
103 Odd Number...Wednesday, Dec. 21

Metro-Goldwyn

26 Even Number.....Saturday, Nov. 12
27 Odd Number...Wednesday, Nov. 16
28 Even Number.....Saturday, Nov. 19
29 Odd Number...Wednesday, Nov. 23
30 Even Number.....Saturday, Nov. 26
31 Odd Number...Wednesday, Nov. 30
32 Even Number...Saturday, Dec. 3
33 Odd Number...Wednesday, Dec. 7
34 Even Number.....Saturday, Dec. 10
35 Odd Number...Wednesday, Dec. 14
36 Even Number.....Saturday, Dec. 17
37 Odd Number...Wednesday, Dec. 21

Kinograms

6243 Odd Number...Saturday, Nov. 12
6244 Even Number...Wednesday, Nov. 16
6245 Odd Number...Saturday, Nov. 19
6246 Even Number...Wednesday, Nov. 23
6247 Odd Number...Saturday, Nov. 26
6248 Even Number...Wednesday, Nov. 30
6249 Odd Number...Saturday, Dec. 3
6250 Even Number...Wednesday, Dec. 7
6251 Odd Number...Saturday, Dec. 10
6252 Even Number...Wednesday, Dec. 14
6253 Odd Number...Saturday, Dec. 17
6254 Even Number...Wednesday, Dec. 21

Oct. 1—The Flag (Technicolor).....Great Events
Oct. 8—The Second Hundred Years...All Star-Roach
Oct. 15—The Call of the Cuckoo.....Max Davidson
Oct. 22—The Old Wallop.....Our Gang
Oct. 29—The Way of All Pants.....Charley Chase
Nov. 5—Hats Off.....All Star-Chase
Nov. 12—Love 'Em and Feed 'Em....Max Davidson
Nov. 19—Heebies-Jeebies.....Our Gang
Nov. 26—Us.....Charley Chase
Nov. 26—Buffalo Bill's Last Fight (Technicolor),

Great Events

Dec. 3—Putting Pants on Phillip....All Star-Chase
Dec. 10—Fighting Fathers.....Max Davidson
Dec. 17—Not Titled.....Our Gang
Dec. 24—Not Titled.....Charley Chase

Fox—One Reel

Aug. 21—The Salmon Run.....Fox Varieties
Sept. 4—Sky Frontiers.....Fox Varieties
Sept. 18—Under Colorado Skies.....Fox Varieties
Oct. 2—Argentina.....Fox Varieties
Oct. 16—Northern Alaska Today.....Fox Varieties
Oct. 30—The Romantic Alhambra.....Fox Varieties
Nov. 13—The Moose Country.....Fox Varieties
Nov. 27—Lights and Shadows of Sicily..Fox Varieties
Dec. 11—Solitudes.....Fox Varieties
Dec. 25—Art Treasures of the Vatican,

Fox Varieties

Fox—Two Reels

Nov. 6—Four Faces West.....Van Bibber
Nov. 20—A Silly Sailor.....Imperial Comedies
Dec. 4—Wild Puppies.....Animal Comedies
Dec. 18—Love Is Blonde.....Imperial Comedies

Pathe—One Reel

Oct. 2—The Kick.....Meehan-Rice
Oct. 9—The Forward Pass.....Meehan-Rice
Oct. 16—The Lateral Pass.....Meehan-Rice
Oct. 23—Football Field Officials.....Meehan-Rice
Oct. 23—From Soup to Nuts.....Rarebits-Record
Nov. 20—Winging Around Europe with

Will Rogers.....Rogers-Clancy

Nov. 20—Have a Drink.....Rarebits-Record
Dec. 18—Exploring England with Will Rogers,
Rogers-Clancy

Pathe—Two Reels

Nov. 6—Chicken Feed.....Roach-Our Gang
Nov. 13—Smith's Cousin.....Mack Sennett
Nov. 13—King Harold.....Gaiety
Nov. 20—Do Detectives Think?.....Roach
Nov. 27—The Bull Fighter.....Mack Sennett
Nov. 27—From Hand to Mouth (re-issue),

Roach-Lloyd

Nov. 27—Fiddlesticks.....Sennett-Langdon
Nov. 27—Young Hollywood.....Brandeis
Dec. 4—Assistant Wives.....Roach-Chase
Dec. 11—Smith's Modiste Shop.....Sennett
Dec. 18—Flaming Fathers.....Roach
Dec. 25—Love in a Police Station.....Sennett

Pathe—Three Reels

Dec. 25—Sunnyside.....Charlie Chaplin

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions	12.00
Canada and Mexico..	12.00
England and New Zealand	14.50
Other Foreign Countries	16.50
25c. a Copy	

1440 BROADWAY

New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. IX

SATURDAY, NOVEMBER 26, 1927

No. 48

A Statement Worth Noting by Exhibitors and Stars

"Exhibitors' Herald," in the issue of November 12, states the following under the caption, "No Profit, No Rental":

"The financial brokerage firm which is offering for sale stock in the United Artists Theatre Circuit, Inc., is making certain assurances to prospective purchasers which will be very interesting to exhibitors generally.

"In a circular letter the company declares:

"The rental is made directly dependent upon the drawing power of the picture at the box office. No rental is paid for the picture unless our theatres make a net profit for the common stockholders."

"The United Artists Theatre Circuit, Inc., a subsidiary of the United Artists corporation, through its brokerage firm herewith presents a rental scheme which, we are sure, would be hailed with great delight by all kinds of exhibitors, everywhere.

"No film rental unless the theatre makes a net profit is ideal enough for the exhibitor, but we wonder how United Artists, as a producing and distributing company, would like to adjust their selling system to conform with this idea."

* * *

Mr. Quigley means well when he makes the suggestion that United Artists apply the "No Profit, No Rental" plan in their dealings also with independent exhibitors; but, with all due respect for his opinions, I think that the suggestion, if put into force by United Artists now, would prove ruinous to the independent exhibitors. Such a plan would have been the exhibitors' salvation two or three years ago, when United Artists had good pictures; but not this year, when almost every one of the pictures they have released this season has proved a box office flop.

"Topsy and Eva," for example, has proved such a box-office failure that United Artists are attempting to make the exhibitors believe that it is a big drawing card by telling them only half of the truth; in a recent ad of theirs in the trade papers, they failed to state explicitly that the big receipts in the Chicago Theatre Chicago, were owed chiefly to the personal appearance of the Duncan sisters, who are popular everywhere, particularly in Chicago, and not to the film itself. "Two Arabian Knights" is not making the success it deserves, perhaps for the same reason that made Metro-Goldwyn-Mayer change the title of "Annie Laurie"—it may lead the picture-goers to believe that it is a costume play. "My Best Girl"?—Oh, what a "flop"! I have never seen a failure of a picture more pitiful. In my review of it I said in the note that the night I saw it at the Rialto, the third night of the engagement, I saw no one standing up at 7:00 when I went in, and I saw no one standing up at 9:30, when I went out. Well, I passed by the Rialto Friday night, November 11, at 9:30 p. m., the seventh day of the engagement, but I saw nobody standing up in the back part of the house. I passed by there Saturday night, at 7:30, and the same condition existed. Sunday night, at 6:30 p. m., there was no one standing up at the back part of the house, and there was no line in front of the box office, when other theatres were having long ques. That is why I say that Quigley's suggestion would prove ruinous to you now, unless you can induce United Artists to agree to take off your "nut" first, before letting them share in the receipts. If you cannot induce them to accept such an arrangement, then the best thing for you to do is to offer them "so much" for the picture, and tell them: "Take it or leave it." In other words, for

the first time since United Artists has been formed you are going to reverse the tables on them.

In connection with the "No Profit, No Rental" statement of the United Artists financial brokerage firm, I wonder how the stars will relish the idea of letting United Artists put their pictures in the United Artists' theatres under such a scheme. And I wonder how the directors would relish it.

"THE PICTURE NOT THE THING," SAYS A PROMINENT CRITIC

Two weeks ago I said in an editorial that the picture is no longer "The Thing," and that vaudeville and musical comedy acts have overshadowed it. Mr. Richard Watts, Jr., a prominent daily critic, on the "New York Tribune" staff, agrees with these deductions; in the November 14 "Sunday Tribune," he has a long article on the subject, which says:

"It may conceivably be significant that possession of one of those ascending orchestra pits has become of more importance to a film theatre than a projection machine. The popularity of its jazz band and the name of its vaudeville headliner currently means more to a house than the quality of the picture shown or the excellence of the star. In other words, the present overwhelming of both cinema and variety as separate entities before the onward sweep of a combined form of the two, that incidentally minimizes the picture, has become one of the most important phenomena of the amusement world. . . ."

Mr. Watts, however, shows an optimism as to the future of the motion picture, expressing the belief that the picture will hold its own in the end. "You can't, I suspect," says he, "step on the incoming cinema with any impunity, and when the current rage is over the vaudeville element in the film world is likely to grow considerably more humble than at present."

GOOD WORK BY A NEWSPAPER CRITIC

Mr. Chester B. Bahn, Dramatic Critic of the "Syracuse Herald," is doing much good work for the exhibitors; he is telling the public what they are up against in conducting their theatres.

The value of public good will cannot be estimated in dollars and cents. Up to this time the producers have had things their own way; they have been able to present their case to the public from their own point of view. This point of view has not been, of course, flattering to the exhibitor. So Mr. Bahn, by writing articles that present your side to the public, deserves your thanks.

MAKE HIM A MEMBER OF THE ANANIAS CLUB!

The figures given out by the Rialto Theatre, a United Artists house (formerly Famous Players-Lasky) as to the amount of money "My Best Girl," with Mary Pickford, took in the first week is \$33,800.

The person that gave out these figures certainly deserves a life membership in the Ananias Club; for the Rialto Theatre to take in so much money it must have long ques in front of it from noon till night. And there were lines at no time; I watched the theatre closely.

"Night Life"—with Johnnie Harron, Eddie Gribbon and Alice Day

(Tiffany, Nov. 1; 6,235 ft.; 72 to 89 min.)

Synopsis: The hero (Johnnie Harron) and his pal (Eddie Gribbon), Austrians, return from the World War to Vienna, their home town. Being unable to obtain work, they are driven to stealing. They ply their trade successfully. The heroine, hungry, dips her fingers into the hero's vest pocket. The hero catches her in time to save his watch. She tells him she has never done such a thing, and that she was driven to it by hunger. The hero takes her to a restaurant, feeds her, and then leads her to his home. In time they fall in love. He finds her a job in a beer garden. One day she sees the hero stealing a jewel from a woman and is heartbroken; for the first time she realizes that he is a pickpocket. She follows him home and with tears in her eyes induces him to give her the jewel so that she might return it to the owner. The hero's pal, who resented her coming between them, follows her and asks her to hand him the jewel. Upon her refusal, he gives her away to the authorities, telling them that it was she that had stolen it. She is arrested. He returns home and tells the hero that he was foolish to entrust a woman with a jewel, expressing the belief that she had run away with it. The truth, however, soon becomes known. The hero decides to go to the authorities and tell them the truth. But his pal goes there first, and takes the blame, bringing about the liberation of the heroine.

Criticism: There are many things in favor of this picture. The good acting, for example, as a result of the good direction. The story, too, is not trite; it has unusual twists, keeping the interest of the spectator alive from start to finish. The characters appear as real human beings. As a result the illusion created is perfect—one feels as if present before a real-life occurrence.

But the story is not pleasant, and the characters do not awaken sympathy. The hero and his pal are shown turning into thieves. And one cannot sympathize with thieves. The heroine, too, though a good girl, is introduced into the story in an act of stealing. It is true that she was driven to it by want but we are not convinced of it; the author merely says so; she was not shown in action forced to do it. And in drama, not what the others say about a character, not even what the character says about himself, but what is shown in action is what counts. The hero's pal is shown as a contemptible creature; his selfishness makes him tell a heinous lie, causing the unjust arrest of the heroine. It is true that he does an act of self-sacrifice in the end, but this cannot square things up. Had he been shown doing the self-sacrificing act without the lie, he would have aroused considerable sympathy. Such a change can still be brought about with proper editing.

The picture, which has been directed by George Archibald, should interest very well non-critical spectators.

"Good Time Charley"—with Warner Oland and Helene Costello

(Warner Bros., Nov. 12; 6,302 ft.; 73 to 90 min.)

A human interest story of stage life, in which the hero, an actor, loses his wife, and goes through life believing that she had been struck by a drop curtain, when in truth she had fallen from the stairway while trying to get away from the villain, who had assaulted her. The most most pathetic scenes in the picture are those at the end, where the heroine, who had gained fame in Europe as an actress, finds her father in a poor actors' home, blind; he had never told her of his misfortune; on the contrary, he had made her believe that he was doing well. The sacrifices of the father for his motherless daughter move one. The father's misfortunes arouse one's sympathy for him. Warner Oland makes an excellent father. In view of the fact that he has taken mostly villainous parts, his ability to win one's sympathy in a non-villainous part speaks well for his acting. Helene Costello does well as the orphaned daughter. Clyde Cook, as the father's inseparable companion and friend wins a good share of the spectator's sympathy. Montagu Love makes a good villain. The plot has been founded on the story by Darryl Francis Zanuck; it has been directed well by Michael Curtis, from a scenario by Anthony Coldeway and Owen Francis.

It should appeal well everywhere.

"Sorrell and Son"—with H. B. Warner, Mickey McBan and Anna Q. Nilsson

(United Artists, Nov. 12; 9,000 ft.; 104 to 128 min.)

Few pictures have moved a picture-goer as "Sorrell and Son" moves him. The unselfish sacrifice of a father for his little son is shown in so pathetic a manner that it will be difficult for the average person to keep his eyes dry. The scenes where the father finds himself broke and unable to obtain work, and reveals his plight to his son, telling him that he can no longer keep up appearances and that he would hold no more secrets from him, but tell him everything, are moving. The scenes at the inn, where he is shown doing the lowest kind of menial work, but happy at the thought that he could obtain any work at all, and thus be able to help himself and his little son, are other scenes that move one. Pathetic are also the scenes at the hotel, where he is shown working as an assistant porter. But the most pathetic of them all are those in the operating room, where the son, who had become a surgeon, is about to perform a difficult operation, and the father sitting among the doctor spectators, watching him. The scenes where the father is shown in agony from an incurable malady, arousing the pity of the son to such an extent that he gives him an overdose of morphine to end his agonies by death, too, are deeply pathetic. This part has been handled well.

The plot has been founded on the famous book by Warwick Deeping; it has been directed by Herbert Brennon most skillfully. H. B. Warner portrays the role of the father with sincerity. Mickey McBan makes a loveable little son. Nils Asher takes the part of the grown son fairly well; he is a nice-looking boy, but he is too young to be the most famous surgeon in England. Anna Q. Nilsson takes the part of the hero's wife; she is shown leaving him for a wealthy man. Paul McAllister takes very well the part of the surgeon under whom the young hero had studied. Every one in the supporting cast, too, does good work. There are some faults in the continuity and in the action here and there but the human interest is so deep that these will undoubtedly be overlooked. The age of the hero, for example, could not have been more than twenty; he looked about twelve immediately after the world war had ended. And it would be inconceivable for a boy to have finished his studies, let alone to have become a famous surgeon by 1927.

Note: "Sorrell and Son" is drawing well at the Rivoli, where it is now playing. The fame of the book, and the good quality of the picture no doubt are the cause of it. But it is problematical how it will be received in small towns, because of the daring twist in it, of the fact that a son kills his father, even though it is done extremely well. But small-town exhibitors will, no doubt, have an opportunity to know how it will take before they buy it.

"Man Crazy"—with Dorothy Mackaill and Jack Mulhall

(First National, Nov. 27; 5,542 ft.; 64 to 79 min.)

A pleasing romance, with a surprise twist in the closing scenes. The action is not as fast as that of a melodrama, but it manages to hold one's interest well from the beginning to the end, and to hold one in a happy frame of mind. The love affair is supposed to be between a wealthy heroine, who poses as a waitress, and a poor hero, driver of a modern truck; but when the hero learns that the girl he loved was not a waitress but the daughter of a prominent wealthy family, he lets the heroine and her folk know that he, too, is the son of a prominent wealthy family, and that he had been driving a truck to keep himself occupied. There is one situation that offers some mild thrills; it is where the hero is shown waylaid by bootleggers and held up, the object of the bootleggers being to use the hero's truck to transport liquor with. But the heroine, who had overheard their conversation, had taken a gun, and driven to the place where they were to waylay the hero, and when they held up the hero she shoots and frightens the bootleggers away, making them think that prohibition officers were after them. The plot has been founded on the Saturday Evening Post story "Clarissa and the Post Road," by Grace Sartwell Mason; it has been directed skillfully by John Francis Dillon. Mr. Mulhall makes a pleasing hero, and Miss Mackaill a charming heroine. Edythe Chapman makes a good growling grandmother. Phillips Smalley, Walter McGrail, and Ray Haller fill their parts well.

A good entertainment at any time, in any house.

"The Last Waltz"—with a cast of German players

(Param.-Ufa, Nov. 26; 6,940 ft.; 80 to 99 min.)

It is excellently produced, but it is hardly an entertainment for American consumption. The scenes in the first part where the Crown Prince is shown on top of the woman in bed, kissing her, should shock the family patronage. For the good of the business Paramount should eliminate this scene. The theme is bad enough, as it is. The hero awakens some sympathy, but what stands in the foreground is the villainous acts of the crown prince. He is presented as a person of loose morals, about to be betrothed to a princess of another kingdom, whom he had never seen. The princess plays a joke on the prince and exchanges identities with a Duchess, who is one of the ladies in waiting. While the two are driving in the country, a blizzard arises. They are compelled to seek refuge in an inn nearby. This happens to be the inn where the prince had been holding his revelries with the officers of his guard. He takes her up to his room. When she tells him that she is not the princess, then the prince changes manners and decides to treat her just as he had been treating other women of loose morals. But the hero, who had met the Duchess by accident and fallen in love with her, his sentiment being reciprocated by the Duchess, arrives in the inn, just in time to save the Duchess from unpleasant consequences. Because the hero had drawn sword against the prince, the prince has him court-martialed and sentenced to be shot.

The story ends with the hero escaping the shooting and marrying the heroine.

The title is taken from the fact that the hero, as a last request, dances with the heroine a waltz supposedly the last.

The picture has been produced in Germany under the supervision of Charles A. Whitaker.

"Breakfast at Sunrise"—with Constance Talmadge

(First National, Oct. 23; 6,222 ft.; 72 to 88 min.)

At the Strand, where I saw this picture Sunday afternoon, people were yawning. There was a laughter ripple now and then, but this could not offset the general tendency of the spectators to yawn. It is a French farce-comedy, in which the chief doings are the heroine's marrying the young hero so that she might spite the man she was about to marry, and he, to spite the girl whom he wanted to marry but who had thrown him down because he did not have any money. In the development of the story, the two are shown eventually as falling in love and becoming husband and wife, not only in name but in fact. None of the situations are "naughty," and if there were they would not offend anybody, because nobody would stay awake to be offended. The plot has been founded on the play by Andre Birabeau; it has been directed by Malcolm St. Clair.

You may double-feature it if you have it bought.

Note: I saw this picture at the Strand Sunday afternoon, the second day of the engagement, and the house was not full. On Friday evening at 7:30, the seventh and last day of the engagement, the house was about one-fourth full, and at 9:30, just before the first evening show let out, the house was about two-thirds full. In other days, Constance Talmadge used to make people stand up almost at any time of the day. But times have changed. Manifestly she has done well to go with United Artists.

"In Old Kentucky"—with James Murray and Helene Costello

(Metro-Gold., Oct. 29; 6,646 ft.; 77 to 95 min.)

Whoever is responsible for the final shaping of the story of this picture, deserves the prize for lack of good taste. How in the world he expected the average picture-goer to feel sympathy with a hero that all of a sudden turns into a cad is beyond comprehension. The hero, a Southerner, is shown engaged to the heroine, also a Southerner. Each loves the other. He goes to the war, and, for causes explained by dialogue but not shown in action, comes back a drunkard and a gambler; he had also lost his moral character. In one scene, he is shown making a dishonorable proposal to the heroine. During the action he shows disrespect to his parents, and lets them suffer from want. His transformation is illogical: seeing in hock a loving cup, a prize won by one of his father's racing horses, he comes to the realization that

his parents are in dire want. He learns that his father had no money with which to pay the entry fee for Queen Bess, goes to the Jockey Club, pays it, and exacts a promise from the president of the club not to tell his father who paid it. But all these acts are illogical for the reason that a person that will make a dishonorable proposal to the girl who loved him and with whom he had been in love, and that will leave home, letting his parents suffer, will hardly change into a good son just because he had seen, while in an intoxicated condition, a loving cup of his father's pawned, particularly when such person had turned into a gambler and a drunkard. Even if such a person would act that way in real life, he is surely not fit for a hero in a picture. The heroine does not get much sympathy, either; one cannot feel much sympathy for a picture-heroine that will marry a man that had insulted her.

The sad part about it is the fact that the material in the story was good enough to have made a good horse-racing melodrama had it been handled well. Marshall Neilan made a good picture with the same story before, about eight years ago, for First National. One cannot blame director Stahl for it, for he has already proved his ability. Perhaps one could not blame the scenarist either when one realizes that pictures at the Metro-Goldwyn-Mayer lot are made by the factory method. The plot has been suggested by the Charles Dazey play. Wesley Barry, Edward Martindale, Dorothy Cummings, Nick Cogley and others appear in the supporting cast.

"She's a Sheik"—with Bebe Daniels

(Paramount, Nov. 12; 6,015 ft.; 70 to 86 min.)

Just fair. While it has fast action in the beginning and at the end, it sags in the middle, with the result that the spectator, if not bored, is made to interest himself in the proceedings only mildly. Miss Daniels assumes a male "Mark of Zoro" role, and by the way she handles it one may be sure that she can supplant Douglas Fairbanks anywhere. She seems to be an expert fencer, if one is to judge by the manner she keeps her feet while fencing. The picture unfolds in Africa, in the desert, and the heroine takes the part of an Arabian uncontrollable maid, daughter of a Moor (a Mohammedan) and of a Spanish mother. She is wanted by a notorious brigand for a wife; he threatens her father with dire consequences if he should object. The father laughs instead of becoming frightened, for he knows his daughter's ability with the sword. This she proves when she suddenly appears. She has a duel with the brigand chief, during which she cuts one after another all his garments, these dropping from his body, leaving him only with a B. V. D. on. The novel situation is that in which the heroine is shown frightening the Arabs, who had revolted and had surrounded the little city, by having two Americans, whom the heroine had rescued once from the hands of the brigands, throw on the sands a picture with a picture machine showing French troops charging. The Arabs shoot the shadows, but when they see that none were falling they become frightened and run away. The heroine's love affair is with a young officer of the French Army post, whom she had abducted. He was to be court martialed and shot but for the fact that she took the blame for his disappearance. Her putting the brigand armies in flight earned for her the right to save the life of the man she loved.

The plot has been founded on a story by the well known screen writer, John McDermott. It has been directed by Clarence Badger. Richard Arlen takes the part of the hero. William Powell, Josephine Dunn, James Bradbury, Jr., Billy Franeym, Paul McAllister and Al Fremont appear in the supporting cast.

THE NEW THEATRE

Easton, Md.

November 2, 1927.

Mr. P. S. Harrison,
New York City.

Dear Mr. Harrison:

I am returning Mr. Shannahan's letter.

Many thanks for your interest and co-operation. You have been a veritable God-send to the exhibitor. I attribute much of the concession on the part of the producer to your activity. In fact all of it.

With high personal regards, I am,

Yours cordially,

E. A. PLUMMER.

PIN THIS ON YOUR HAT!

Last week I told you that the pictures are no longer "the thing"; that they are used merely as "chasers." Just look at the bills of the Strand, Capitol, Paramount, and Roxy for the week beginning November 12, and you will be convinced of the fact:

ROXY: Russell E. Markert's 16 American Rockets in "Dance of the Skeletons," the best trained girl-dancing number in the world. "Festival of Bagdad," with 250 people in the scene. Roxy Symphony Orchestra of 110. Chorus of 100 voices. Roxy Ballet Corps. Colorful Russian Corale, Russian Cathedral Choir. Russian Quartette. Divertissements, with Maria Cambarelli. Movietone News Reels, and "Two Girls Wanted," with Janet Gaynor.

CAPITOL: Vincent Lopez and his Casa Lopez orchestra in an elaborate Revue featuring the famous radio entertainers, Happiness Boys—Ernest Hare and Billy Jones; Chester Hale girls and an assisting group of well known entertainers. Capitol Grand Orchestra, and "The Garden of Allah." (N. B.—Those who may not know the exact value of Vincent Lopez may be told that he is a big drawing card, and a highly paid one.)

PARAMOUNT: Murray Anderson's sunshiny radio revue, "Listen In," with New York's original stage orchestra and the premier appearance of Kosloff. Also Jesse Crawford. Also Carlos and Inez, Jerome Mann, Herman and Seamon, Irmanette, the Ada Kaufman girls, Dolores and Eddy, and "The Last Waltz."

STRAND: Nathaniel Shilkret and his augmented Victor Salon Orchestra presenting "Inspirations," and his regular weekly musical novelty. Sofia del Campo, sensational Victor Record Artists. Ukulele Ike. The Eight Cocktails. The Liebling Singers—Mark Strand male chorus. Elaborate Finale "Shuffling the Deck," with Veronica with entire ensemble, and Constance Talmadge in "Breakfast at Sunrise."

Any wonder that the neighborhood theatres and the theatres of the surrounding territory are starving? People go to one of these theatres once in one week, and they have had enough amusement for an entire week, both from a satisfaction as well as from an expenditure point of view. It costs the family anywhere from two to five dollars. And when they spend so much money at a "crack," they have no money left to go to their neighborhood show.

Pin this on your hat and let the first salesman that will tell you how much his pictures are doing read it. Perhaps he will not talk about high film rentals again.

SOME THOUGHTS AROUSED BY A CHANGE OF A TITLE

As stated in last week's issue of this publication, Metro-Goldwyn-Mayer has changed the title "Annie Laurie" to "Ladies From Hell," on the ground that the words Annie Laurie convey the thought that the picture is a costume play. It is to this that Metro-Goldwyn-Mayer attributes the picture's failure to draw.

Since "Annie Laurie" IS a costume play, the act of Metro-Goldwyn-Mayer in changing it to "Ladies From Hell" is an effort to mislead the public and cause you, too, to mislead it.

As Metro-Goldwyn-Mayer admit, by their act, that costume plays do not draw, it is well for you, in making up your mind whether you should buy "Quality Street" or not and how much you should pay for it if you should decide to buy it, to remember that it is a costume play, and that it is not setting the world afire at the Embassy, where it is showing now.

Its failure to draw may be owed to the fact that it is a costume play, or to the fact that two-dollar prices are charged. Whatever the cause, however, the truth of the matter is that the picture is not making a good showing, even though its quality is excellent, and Marion Davies does as good a bit of acting as she did in "Little Old New York." If its failure to draw is owed to the high admission prices charged, I hope that the Metro-Goldwyn-Mayer executives and the executives of all the other companies will some of these days wake up to realize that every good picture they may make is not a two-dollar picture, and that the two-dollar pictures do not grow on trees. But I

am inclined to believe that its failure to draw is owed to both, the fact that it is a costume play and that high admission prices are charged for it.

In reference to the new title of "Annie Laurie," let me remind you that at the Trade Practice Conference the producers offered a resolution, which was accepted by the exhibitors unanimously, promising to avoid certain things in pictures. The resolution consisted of 23 Points.

One of the points, Point No. 1, read as follows: "Pointed profanity—by either title or lip—this includes the words God, Lord, Jesus, Christ (unless they be used reverently in connection with proper religious ceremonies), Hell, damn, Gawd, and every other profane and vulgar expression however it may be spelled."

The resolution was introduced by Louis B. Mayer, who was acting as chairman of the producer committee on resolutions. So by including the word "Hell" in the new title for "Annie Laurie," Metro-Goldwyn-Mayer is the first company to violate that resolution.

The excuse they may give is that "Ladies From Hell" is a nickname given to the Highlanders during the World War. If so, then the offense is doubly strong, for, in addition to using a profane word, Metro-Goldwyn resort to misrepresentation; the World War has happened two centuries after the period depicted by the action of the picture.

Another thing for you to remember is the fact that "Lady From Hell," which is similar to the title "Ladies From Hell," was the title of a cheap "Associated Exhibitors" picture, with Roy Stewart, released two years ago.

"CALLAHANS AND MURPHYS" WITHDRAWN

Metro-Goldwyn-Mayer has withdrawn "The Callahans and the Murphys" from the market entirely, as a result of a protest from Cardinal Dougherty, Archbishop of Philadelphia.

It is difficult to compute in dollars and cents how much Metro-Goldwyn-Mayer has lost in good will by not having withdrawn this picture earlier, and still more difficult how much harm its strong-headedness will cause the entire motion picture industry. One of the results is the McGee Bill, which is before the aldermen of this city. If this Bill should be enacted, there is the fear that similar bills will be introduced in other city councils and state legislatures.

HARRISON'S REPORTS feels a great deal of gratification in having enlightened the Irish and other Catholics that the independent theatre owners had nothing to do with the production of such pictures as "The Callahans and the Murphys" and "The Garden of Allah." In one occasion I appeared before a body consisting of the heads of almost all Irish organizations and explained to them how you buy film.

The opposition against "The Garden of Allah" has not been withdrawn because of the withdrawal of "The Callahans and the Murphys." And you will do well to think it seriously before you show this picture.

THE NEW "BREVITY" A GEM

The December "Brevity" is funnier than that of any other month so far. It is one laugh after another.

The exhibitor that will miss reading "Menkis at the Federal Trade Conference," will miss the greatest fun of his life. The article is witty, and full of subtle meaning. Jack Miller, Charles L. O'Reilly, Robert H. Cochrane, Pete Woodhull, Leo Brecher and others come in for considerable "kidding."

In another page, HARRISON'S REPORTS comes in for considerable good-natured "kidding." I thought that when David Barrist put in the October issue of "Brevity" a cartoon representing the producers giving me a dinner was the funniest thing in filmdom; but Dave has surpassed it this week in his burlesquing of HARRISON'S REPORTS. Some of the subjects in this burlesque are, an "Analysis of the New Uniform Contract," Louis B. Mayer, reviews, and substitutions.

There are a hundred laughs in every page. Get it and read it. You'll get two dollars' worth of laughs out of every page.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions	12.00
Canada and Mexico..	12.00
England and New Zealand	14.50
Other Foreign Countries	16.50
25c. a Copy	

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, FEBRUARY 11, 1928

No. 6

THOSE "CANNED" PETITIONS

Some one in New York City reproduced the press-sheet on the Brookhart Bill, which I sent out to fourteen thousand exhibitors, superimposing the following wording: "The Reason You Are Receiving These 'Canned' letters," and sent a copy to every member of Congress. He reproduced also the blue blank slip, which I had sent along with the press-sheet, asking you to furnish me with the names of other exhibitors so that I might write to them and induce them to support the bill. The following is the wording that he superimposed on it: "A Novel Way to Secure Prospects to Solicit for Subscriptions at \$10 Per Year."

There was no mark on the envelope to indicate who sent them. Only the post mark on the envelopes gave away the city from which they were mailed.

As you see from the superimposed wording, the object of the sender was to show to the Congressmen that their receiving of letters urging them to vote for the Brookhart Bill is the result of propaganda on the part of "P. S. Harrison," and not of any genuine demand on the part of theatre owners; and that the reason why I am asking for these names is, not to help the Brookhart Bill, but to secure names for the purpose of soliciting subscriptions.

These reproductions were undoubtedly sent by the producers' side. I don't know who sent them, and, although I can easily guess the author of them, as can you, I am not going to do it, because I don't like to do guessing. But I do know one thing, that this act has had the opposite effect intended, as I have been informed from Washington, because no decent person, let alone a public servant, has any respect for the sender of anonymous communications. It is natural for a Congressman to say to himself: "If there was any merit to this attack, the attacker would certainly have put his name to it so that we might know who he is."

One of the lowest, vilest human traits is the sending of anonymous communications. The weak may be excused, thought not justified, in doing it; but when the strong do it there is no words in the dictionary to characterize the act with.

But while they condemn our "canned" letters, what do they do? They are circulating "canned" petitions, against the bill, not only among their own employees but also among the exhibitors, asking them to sign them and to send them to their Congressmen. They have even gone so far as to frame the petitions in such a way as to lead the exhibitors to believe that they favor the bill.

In other words, it is legitimate for them to secure "canned" petitions, but it is sinful for me to send to you model letters.

I sent out the press-sheets, because I felt that something ought to be done quickly to educate the exhibitor. We have no national organization, whose business is to do this; or, to be exact, our national organization is tied to the coat tails of Mr. Hays, and therefore we cannot expect any help from it.

I say that something ought to be done quickly, because I realized that the producers, with nearly fifteen hundred film salesmen coming in contact with you daily, and with a million and a half dollars, which is the budget of the Hays organization, at their disposal, to spend as much of it in propaganda as they think necessary, we would not have any chance at a fair expression of sentiment if we delayed. (A good reasoning, if we are to judge by the results that we have so far got at Washington.)

The producers must, indeed, be desperate when

they resort to anonymous communications. But don't let that worry you; we are going to see the Brookhart Bill become a law because right is on our side. Just keep on working. See the head of every civic organization you can, the head of every fraternal organization, the head of the Boy Scouts, your minister, your editor, your chamber of commerce; in fact, every one that you can see, to enlist his aid. And don't forget to keep your slide on your screen, asking your public's support. You are fighting with your backs against the wall. Remember this; three years ago there were more independent exhibitors than there are today; two years ago there were more; one year ago there were more; six months ago there were more. The independent exhibitors are getting fewer and fewer every month; they are compelled either to close down or to sell to the producer circuits. If the Brookhart Bill does not become a law, you will be the next one that will be either absorbed by a circuit or driven out of business. They are talking about government control. We are all controlled by the Government. Don't we have to obey the laws that are framed by the Government? And where would we be without obeying the laws? You have always been controlled by the Government! Don't you have to get a license before you open your theatre? Don't you have to obey the fire regulations, the police regulations and one thousand and one other things? On the other hand the producers have had things their own way. They want no laws!

As I said before, the Brookhart Bill does not mean Government regulation. But if it did mean that, it should be your joy to be regulated by the Government in business than to be regulated by the producers out of business.

P. S. HARRISON.

ANOTHER POWERFUL ARGUMENT IN FAVOR OF THE BROOKHART BILL

One other exhibitor that made a strong argument in favor of the Brookhart Bill at the recent T. O. C. C. rally at the Hotel Astor was Billy Brandt. Billy said that a five hundred seat "bootleg" theatre was built in his zone in Brooklyn where there are eight theatres, and was turned over to the Keith interests without a cent investment. That house immediately became a first-run house, and none of the eight can now buy a first-run for love or money. In other words, a five hundred seat house, delivered to a big circuit, scrapped the investments of eight other exhibitors.

This is another reason why the Brookhart Bill should go through. And it is up to you to get busy if you have not already done so. If you do not, your turn will come next.

SEND IN ALL CLIPPINGS

In order for this paper to keep informed as to what is going on in the country in reference to the Brookhart Bill, you are requested to send all newspaper clippings that refer to it to this office. You should send also any literature that has been put out by you intended to educate your public.

Don't fail to send to this office also the names of other exhibitors, to whom I might write in an effort to induce them to take an active part in support of the Brookhart Bill.

"The Gateway of the Moon"—with Dolores Del Rio

(Fox, Jan. 1; 5,038 ft.; 58 to 72 min.)

Not much to it! It is a jungle story, in which the most noteworthy thing that happens is the effort of the heroine's uncle to have the hero killed, because he was told too much about his crooked work in padding expense accounts and in altering the books to cover up thefts. The title is derived from the fact that the story unfolds in a place near the upper reaches of the Amazon, which is called by the Indians by that name, because of a tradition that those of girls that called their lovers during a moonlight in that spot usually saw their lovers come to them soon. Mr. Pidgeon takes the part of the hero, who shuns women, and who always repulsed the heroine, daughter of a white man and a woman of Spanish blood. Eventually, however, he succumbs.

The plot has been founded on the story by Clifford Bax; it has been directed by John Griffith Wray, from a scenario by Bradley King. Anders Randolph takes the part of the heroine's uncle; Ted McNamara, Leslie Fenton, and others appear in the supporting cast.

"Phantom of the Range"—with Tom Tyler, Duane Thompson and Frankie Darro

(F. B. O., April 22; 4,871 ft.; 55 to 68 min.)

An unusually interesting western melodrama of the program variety, having been made so by the good construction of the plot, the direction and the acting. The action is fast all the way through—there is something doing all the time. The plotting and counter-plotting is well carried out. The chief doings are the villain's efforts to make the heroine's father sell his ranch for a "song," although he knew that the property was worth a great deal of money; and of the hero to prevent the villain from intimidating the heroine's father into giving in. The hero wins, of course, in the end.

The plot has been founded on the story by Oliver Drake; it has been directed by James Dugan, from a continuity by Frank Howard Clark. Tom Tyler makes a good western hero, as usually. Duane Thompson makes a good heroine. Little Frankie Darro, that charming little actor, does his bit towards making the picture entertaining.

Small town exhibitors would do well to book it on a Saturday, if Saturday is their biggest day and if they cater to many children.

"The Pioneer Scout"—with Fred Thompson

(Paramount, Jan. 21; 6,118 ft.; 71 to 87 min.)

An interesting and thrilling story of the frontier days, in which Mr. Thompson takes the role of a man that can shoot straight and ride a horse better than anybody else. He protects the weak and always tries to discover the man who is back of the massacres of small trains of emigrants. The suspense is tense all the way through, particularly in the beginning where there is shown a covered wagon race, and in the end, where Mr. Thompson, as the hero, trails the arch-villain to his lair. The villain had a way of getting rid of his victims that was at once ingenious and cruel: his right hand was missing and he had a hook on it, which he employed as a hand where he could. He kept the end of the hook sharp, so that, when any one of his victims would come under the hole of the floor above, the unsuspecting victim was "hooked" and dragged up. An exception was made for the hero when he traced the villain's hiding place: The villain ordered his men not to shoot or in any way to harm the hero because he wanted to handle him himself. So he allows him to climb up the ladder and to enter the cabin. Then a struggle ensues. But the hero, instead of getting the worst of it, as the villain and his men had expected, gets the best of it; he had made the villain unconscious from beating and, standing him up near the door, used the unconscious villain's "hook" arm to nod the other outlaws to enter the cabin. He slugged each one as he entered, until he fell them all. He then delivered them to his men, who, led by the hero's intelligent horse, had followed and found him.

The part of the picture that shows the hero felling the outlaws with the unconscious villain's "hook" hand will, no doubt, be laughed at by the spectators;

it is too far-fetched. But the rest of the action is convincing.

There is a love affair, too, between the hero and the heroine, daughter of one of the emigrants.

The plot has been founded on a story by Frank M. Clifton; it has been directed by Lloyd Ingram and Alfred L. Werker. Mr. Thompson does good work as the hero. Nora Lane is a charming heroine. Tom Wilson makes a vicious and cruel villain; one can hardly recognize under his make-up the genial Tom Wilson, who has contributed no few laughs in many pictures.

"Lady Raffles"—with Estelle Taylor, Roland Drew and Lilyan Tashman

(Columbia-Regional, Feb. 6; 5,471 ft.; 63 to 78 min.)

This is a high-class crook and detective mystery melodrama of the Arsen Lupin variety. The story is interesting; it has been put into scenario form so intelligently, and has been directed and acted so skillfully, that it holds the spectator in tense suspense all the way through. None will guess that the heroine is a Scotland Yard detective until just before the end. The scenes in the hero's home, where the heroine enters supposedly to escape from the pursuing police and becomes accidentally a maid, having been pressed into service by the butler, who mistook her for a maid that was to work there, are full of suspense; one fears lest she be detected. Suspense is worked up also in the situations where the crooks make an effort to get hold of a precious jewel, eventually succeeding. The closing scenes, where the heroine is shown entering the apartment of the thieves for the purpose of recovering the valuable jewel, are the most suspenseful of them all: The arch-crook calls up the police for the purpose of having the heroine arrested. The heroine, pretending that she is frightened, backs up outside the room and, after disappearing, shoots her pistol. The crooks think that she had committed suicide. The police arrive but when they seek the body they cannot find it. The crooks become frightened and decide to take the jewel out of its hiding place and to go away. The heroine, however, appears suddenly and at the point of her pistol spoils their plans. She then delivers them to the police, informing them that she is a Scotland Yard detective. The hero, who up to that time had thought her a crook, but who had told her that he loved her, no matter what her past was, and wanted to marry her, opens his eyes wide from joy.

The plot has been founded on the story by Jack Jungmeyer and Fred Stanley; it has been directed with intelligence by R. William Neil, from a continuity by Earl Hudson. Al Boasberg wrote the titles. The cast do good work.

It is a first class melodrama, and can be shown anywhere where melodramas are liked.

"That Certain Thing"—with Viola Dana

(Columbia-Regional, Jan. 1; 6,047 ft.; 70 to 86 min.)

The first part is an interesting romance, of the Cinderella type, with a great deal of light comedy; the middle part falls down considerably for a short stretch; but the last part picks up again and interests the spectator if not as much as the first part, at least nearly as much. The part that falls down shows the hero, a young man born with a gold spoon in his mouth, disinherited by his father because he had married a girl whom the father thought a mere gold-digger and as having obtained a job as a ditch digger; it is too much for one to expect the spectator to believe that the son of a millionaire would have accepted such an employment. Yet this part of the story is necessary to furnish the motive of the subsequent action, for it is while the hero is near the ditches, after he had been discharged for incompetence, that the idea comes to his head to start a sandwich factory in which he is shown later as having made a success and as having proved to his father that not only did he make good but also that his wife was a hard working young girl, who made his success possible, instead of a gold-digger. On these grounds one can excuse the "flatness" of the action for a short stretch. The story has been written by Elmer Harris. It has been directed by Frank Capra well. Viola Dana makes a good heroine, and Ralph Graves a good hero. Burr McIntosh, Aggie Herring, Carl Gerard and Sydney Crossley appear in the cast.

**"Buck Privates"—with Lya De Putti,
Malcolm McGregor, Eddie Gribbon
and Zasu Pitts**

(Univ.-Jewel, June 11 (1928); 6,914 ft.; 80 to 98 min.)

Pictures of the "Buck Private" quality build up business instead of driving picture-goers away. It is not a pretentious offering, and most of it is illogical; but it is funny. And that is what, after all, counts. It is a post-war comedy, its action unfolding in Luxemburg, where American troops in passing through it, were billeted in a small town. The comedy comes chiefly from the pranks one soldier plays on another, and from the manners of the heroine's austere father. He was a pacifist through and through, and he would not allow any soldiers to be billeted in his house. Everytime one would innocently walk into the house, the spectator would see him roll out like a bundle. There are thrills, too, these being caused towards the end by the usual chases: The Purity League, consisting of old men, in order to put an end to the young women's staying out late with the soldiers, decree that all girls that would fraternize with soldiers should have their hair bobbed. The heroine is caught at a time when the hero's pal was stealing a kiss from her. As a result, they clip her hair. A complaint is made to the commanding officer and the hero's pal is forced to marry the heroine. The heroine's maid, however, who loved the hero's pal, brings a soldier's clothes to the heroine and makes her don them. She then dresses as a bride, covering her head with a veil. She is recognized but during the ceremony the hero, thinking that it was the heroine whom his pal was marrying, abducts her. Then there is a chase. Everything is cleared up in the end; the hero's pal marries the heroine's maid, and the hero the heroine.

This is the first time that Miss Putti has taken an ingenu part; she has done very well. Malcolm McGregor makes a good hero. Eddie Gribbon and Zasu Pitts liven up the picture with their comical acting.

Good for any theatre.

"Sadie Thompson"—with Gloria Swanson

(United Artists, Released in February; 8,700 ft.)

Considering the fact that the story was one of the hardest to film, one must take one's hat off to director Allan Dwan, to Gloria Swanson, and to whomever has had anything to do with the making of this picture; for it has turned out to be a first-class entertainment. Miss Swanson has never, in fact, done better work in her screen career. There was much outcry against the making into a picture of the story upon which the play "Rain" was founded, because everybody feared that it would offend religious people. But the main character, who in the play as well as in the story was a minister, has been made a professional reformer in the picture. There is pathos almost all the way through the picture. Miss Swanson, as the heroine, wins the spectator's sympathy. This effect is brought about by the persecution by the man, who, under the name of religion, tortures her mentally, in the end proving that he himself was not free from temptation. The picture conveys a good moral; it teaches tolerance. Nothing is shown that would offend even the strictly religious; the kind of woman the heroine was is conveyed subtly by implication. But the fact that she wanted to remain straight but that the hypocritical reformer wanted to send her back to San Francisco, where jail awaited her for a crime she had not committed, arouses one's sympathy for her, and consequent antipathy for the reformer.

The plot has been founded on the story by W. Somerset Maugham. Lionel Barrymore takes the part of the reformer. Blanch Friederici, Charles Lane, Florence Midgley, James A. Marcus, Sophia Artega, Will Stanton and others are in the cast; all do good work.

**"Woman Wise"—with William Russell,
June Collyer and Walter Pidgeon**

(Fox, Jan. 15; 5,050 ft.; 58 to 72 min.)

A light comedy; it unfolds in Persia, and shows the American consul as the hero, and the consul's secretary as the heroine. The hero's friend comes from nowhere and things start. He has an eye for pretty faces, in contrast with the hero, who is a confirmed

woman hater. Eventually, however, he falls under the spell of the beautiful heroine. But he, thinking that she loves not him but his friend, decides to go away. The friend, however, at the last moment, finds out that she loves not him but the hero, and goes to the hero and convinces him of the fact.

There is much comedy all the way through, this being caused by Mr. Russell's care-free way. Comedy is caused also in the scenes where Walter Pidgeon punches William Russell between the eyes just to show him how much he thought of him, and in the last scenes where William Russell reciprocates, with the same motive, by punching Walter Pidgeon in the jaw; he had found out that only by such a punch could he convince him that the heroine loved him, Walter Pidgeon. There is some mild comedy created by the appearance of the Persian soldiers in their peculiar costume.

The plot has been founded on the story by Donald McGibney and J. K. McGuinness; it has been directed with skill by Albert Ray, from a scenario by Randall H. Faye. Theodore Kosloff, Raoul Paoli, Ernest Shields, and Duke Kahanamoku appear in the supporting cast.

February 4th, 1928.

Dear Mr. Harrison:

I am writing you to let you know that the Film Exchanges of this territory are circulating a petition among the exhibitors and Film Exchange employees against the Brookhart Bill.

I do not care to have my name mentioned or the theatre I own, as I do not think it would do me any good.

A few days ago I went into an exchange to book some pictures and an employee of the exchange set a petition down in front of me and asked me if I would sign it. I asked him what it was all about and he said it was a petition against the Brookhart Bill. I told him that all I had read of the bill I had read in HARRISON'S REPORTS. That I thought it was a good thing and refused to sign the petition.

He laughed when I mentioned HARRISON'S REPORTS. He asked me if I believed the stuff you were handing out. I told him that I did and further that I thought you were putting up a good fight for the exhibitor. This gave him another laugh and he intimated and tried to create the impression that you were not on the square with the exhibitors.

I told him that I thought you were on the level with the exhibitors and that I thought you could not afford to be any other way, because it was from the exhibitors that you were getting your three squares a day. He said, "That's what you think."

After he saw that I was thoroughly sold on you and your views he said that the stand that you were now taking would be your finish. He then came at me with the argument about what would happen to the business under government control, that film would cost considerable more and that it would drive the small theatre owner out of business. I told him that at the rate things were going at present, that it looked like it wouldn't be long before we were out of business anyhow, and that I for one would sink or swim with you and your views. He then referred me to a bulletin board that is up in the exchange on which was an article by ARTHUR JAMES, entitled "PETE THE POISONER."

The article is one of excerpts from your past issues in which Arthur James took plenty of healthy cuts at you.

I want you to know that you have these big fellows worried plenty. They know your word carries a lot of weight with the exhibitors and they are by innuendo trying to discredit you in every possible way for the stand you are taking on the Brookhart Bill.

Just one last word. I don't think that Arthur James could have selected a more appropriate title for his article than "Pete The Poisoner" because, I'll tell the cock-eyed world that you have been POISON to the big fellows of this industry who have tried to get away with shady deals and tricky contracts. More power to you Pete.

Very truly yours,

A Theatre Owner.

(EDITOR'S NOTE: The name of this exhibitor has been given to Senator Brookhart in confidence.)

PETE WOODHULL

After six years of investigation of Famous Players-Lasky, the Federal Trade Commission issued an order directing them to stop block-booking.

Famous Players-Lasky answered to the Commission: "Why do you pick on us when everybody has been doing it?"

"Very well," the Commission replied, "let us have a conference with representatives of producers, distributors, and of affiliated as well as unaffiliated exhibitors, to see if we can't correct the block-booking evil and the other evils.

And so the Trade Practice Conference was called on October 10.

At the Conference, the independent exhibitor delegates selected Pete Woodhull as chairman.

The Conference was not a success. As a result, the Brookhart Bill was introduced in the Senate to correct the evils by law.

Everything the Brookhart Bill aims at has been demanded by the exhibitors at the Conference. Every exhibitor resolution was voted on unanimously by the exhibitor delegates, over whom Pete Woodhull presided. Pete Woodhull was, therefore, honor bound to support the bill.

But how has he acted ever since? He went to Washington and called on Senator Brookhart. He came back and issued a statement telling the world that Senator Brookhart told him, when his attention was called to Section Seven of his bill, that he wanted Government regulation of the motion picture industry. (The Senator has denied this statement of Woodhull's, stating that he had been misquoted by him.)

At the "Rally" of the T. O. C. C. the week before last, Pete Woodhull stood up and fought with C. C. Pettijohn.

Now, Charlie Pettijohn tells us that the reason why he is with the producer side is not because he believes that they are right but because you would not pay him for fighting for you whereas the producers are paying him well. Yet Pete Woodhull stood up with Pettijohn and fought against the Brookhart Bill. It is true that he said he was in favor of the bill "if it did not place the industry under the control of the Government." But that is all applesauce in my opinion; he was told that the Brookhart Bill did not mean Government regulation but he was unwilling to accept that interpretation; he cited Senator Brookhart, who, he said, admitted to him that it meant Government regulation. But the Senator's denial of it has not changed his mind; he is still on the other side of the fence.

Up to this time I thought that Pete Woodhull was a monologist; I have not found out that he is an acrobat; he can make a "back somersault" prettier than any real acrobat that I have ever seen.

But why shouldn't he feel that way? He is not a theatre owner, and therefore cannot feel the problems of the independent exhibitor as he feels them! Not long ago he sold his theatre to the Stanley interests, and is now without a theatre. Even his being president of M. P. T. O. A. is against the rules and regulations of the constitution of that organization; as I remember, at Washington a constitution was adopted excluding from the presidency any one that is not an exhibitor. And I have never heard that it has been changed.

Pete Woodhull should not be allowed to represent independent exhibitors not only because he is not an exhibitor, but because he does not feel as an independent exhibitor feels. The way he has acted in the last several months it leads one to believe as if the other side could never have found a more faithful worker for their interests. Last fall he went on the road with C. C. Pettijohn. They visited several state organization conventions. Out of those that they visited, Indiana and Ohio were not influenced; the leaders of the exhibitor organizations in those states are with us one hundred per cent in this fight. But Spearman of Oklahoma, Lichtman of Arkansas, Williams of Nebraska, and Piquet of North Carolina, lined up with Pettijohn; I have repeatedly tried to get an expression of sentiment from them in reference to the Brookhart Bill, but so far I have not been able to; it seems as if they were lined up with the Hays crowd by Pettijohn and Woodhull and they stayed "put."

Pete Woodhull, in my way of thinking, is working against the real interests of the independent exhibitors. But let that not worry you, for without a national or-

ganization to link up the efforts of the various state units that are working for the bill, the results have been admirable just the same. Washington has been buried under an avalanche of letters from constituents. My files are full of letters from exhibitors informing me of the steps they have taken to gain public support for the bill. And whenever they find out that something is being concocted to defeat the bill, they write or wire, or call me up on long distance to tell me about it. Last week, for example, I had a telephone call early in the morning from an up-state exhibitor telling me about the petition the producers are circulating among the exhibitors. Others have informed me of the petition they circulated among the employees at the exchanges. (This came to my own attention last week, when I was at an exchange's poster window to get a press-sheet; I saw the petition being signed.)

All this proves that the exhibitors, though scattered all over creation, can act in unison just the same, if they are led properly. In a state where the organization is with us, the organization takes care of the publicity in the main; but I am concentrating my efforts in the states where the leaders are lined up with the other side. And the results are wonderful. This proves that we do not need the aid of the national organization; not, at least, as it is presently constituted.

M. P. T. O. A. is no longer an independent exhibitor organization. I do not know where they get their revenue from. Connecticut has not sent them a cent, and will not do so. Pittsburgh will not send them a penny. Philadelphia told Pete Woodhull plainly at the meeting last fall, where I was an invited guest, and where he came uninvited, that he need not expect a penny. I don't know whether or not Kansas, Oklahoma, Arkansas, Nebraska, North Carolina, the presidents of which organizations seem to be opposed to the Brookhart Bill, have sent them any money or not. If you are a member of any of these organizations, you should find out. Object to any contributions to the national organization while the present complexion continues. If your president should "dodge" answering you, then it is your duty to stop paying dues. Remember that every dollar you contribute to the national organization, either directly or indirectly, you contribute it to be used against you. If Mr. Hays needs the M. P. T. O. A., or what is left of it, let him support it.

WHY SAN FRANCISCO IS AGAINST US

I wrote to Van Osten, of Allied Amusements, San Francisco, to let me know whether his organization is for or against the Brookhart Bill. Mr. Van Osten wrote me that his organization was opposed to any Government interference in the motion picture industry.

I wrote to a friend of mine in that zone to get the low down. Here is what he replied:

"The Allied Amusements Industries is composed of members largely from the circuits such as The West Coast Theatres, the Golden State Theatres, Ackerman-Harris Circuit, the T. & D., Jr., the Beach-Krahn Amusement Company, and a few independent theatre owners.

"As an organization, I cannot see where it can fairly represent the views of independent theatre owners, for all except one of these circuits is connected with producer-distributors.

"Allied Amusement Industries has always been looked upon as a defensive organization in local matters, such as censorship, unions, and legislation. Mr. Van Osten is an estimable gentleman, and personally I hold a high regard for him, but due to the powers that be I cannot see where he could have taken a different stand; he is not always permitted to follow the dictates of his own conscience."

I am investigating other organizations with a view to finding out why they are opposed to the bill. But you may be sure that there is something back of it. You need not worry, however, for the individual exhibitors work for the bill just the same.

There is one thing that you can say about the Brookhart Bill; if it will do nothing else, it will serve to separate the goat from the sheep. Another thing it has done is to unite the independent exhibitors; right now they are united as they have never been united. It shows that when there is a matter of national interest, they will all fight together—if they are properly led.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions	12.00
Canada and Mexico..	12.00
England and New Zealand	14.50
Other Foreign Countries	16.50
25c. a Copy	

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7049

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, FEBRUARY 18, 1928

No. 7

LOOK AHEAD!

Let us turn part of our attention away from the Brookhart Bill this week and concentrate it on another problem, equally important.

The time when the producers put out campaign books and other literature for a new season's product is near and it is necessary for you to study the business conditions, what they are at present and what they will probably be during the 1928-29 season, so that you, fortified with such knowledge, may determine how much you should pay for the new product. The campaign books this year will, no doubt, be as attractive as they have been in former years; therefore, it is necessary that you possess the information that will enable you to resist their lure as well as the lure of the producer-distributor oratory.

* * *

Roger Babson, the well known economist, speaking at the annual business conference, which was held at Wesley Hills, Massachusetts, last September, said in part:

"A condition exists in the business world today that has never before existed since statistics on business conditions have been available. I refer to the fact that we are in a period of declining interest rates, which heretofore has never been followed by a panic; and at the same time are in a period of declining commodity prices, which heretofore has never been followed by good times. That is, economic history shows that it has always needed high interest rates to bring on a panic, that it has always needed increasing commodity prices to bring on prosperity, and the two factors have never before existed simultaneously. Yet today we have the paradox of low interest rates and declining commodity prices.

"The reason for this unusual situation is that there is today in the United States an excess of everything . . .

"There is an excess of gold, which is the basic cause of present dangerous inflation; there is an excess of manufacturing capacity, which is the cause of present severe competition; there is an excess of copper, lumber, oil, coal, rubber and other raw materials which is upsetting commodity markets.

"The volume of business today is good, but competition is so severe and efficiency so low that profits are small. Statistics indicate that this same condition will extend into 1928 . . .

"I see no reason why there should be any wage increases during 1928 . . .

"We are in a period when wise manufacturers, merchants and investors will get out of debt and store up resources. If enough will do this, normal conditions could continue and such readjustment as is necessary could be so spread out over a long period as to do no one any harm."

* * *

Mr. Claude G. Bowers, of the New York Evening World, in decrying all talk of prosperity in a speech of his last January, said that:

One million men are out of employment and three million working part time.

In the centres of population the employment agencies are overcrowded.

Hundreds of thousands of farmers have been dispossessed by mortgages and taxes, and have been driven to bankruptcy and despair.

* * *

On February 7 the newspapers announced that Governor Smith, of New York State, requested Mr. James

A. Hamilton, Industrial Commissioner, to inform him about the unemployment situation. His letter to the commissioner reads as follows:

"There have been brought to my attention reports of a serious condition of unemployment affecting the City and State of New York at the present time. I UNDERSTAND THAT SOME OF THIS IS CAUSED BY THE DRIFTING INTO NEW YORK OF MEN FROM OTHER PARTS OF THE COUNTRY, WHERE UNEMPLOYMENT IS ALSO MAKING ITSELF FELT [the capitals are ours]. Whatever the cause, there is, I believe, considerable suffering as a result.

"I should like to be fully informed on these conditions at the earliest possible moment. I would ask, therefore, that you have the division of employment of your department provide me at the earliest possible moment with a report of the present situation as reflected in the employment bureaus under your department and any other sources of information which you may have.

"I would ask you also that you make a rapid survey of conditions in New York City, utilizing the sources of information there available.

"My purpose in asking for this is to determine whether the State of New York, with its large public works program, or in any other way, can do something toward relief of this situation."

* * *

Last week I had a talk with a prominent banker who told me that there is a depression on, and expressed the opinion that relief would not come until well towards the winter; perhaps not before January, 1929.

In former years at this time of the year the clerks of wholesale stores could not spare time even for lunch. This year they have all the time they want; the buyers from out of town go into the stores and take their time in making purchases.

The printing trade, which is as a rule the barometer of business conditions, because of the fact that printing is the first thing required in any thriving business, is at a standstill.

The clothing business is shot to pieces; people are not buying, and the stores are stacked up with the dying season's goods.

Unemployment is on the increase; the Pennsylvania Railroad has just laid off 25,000 employees.

My barber told me last week that every one he shaves "kicks" about business. And barbers come in contact with persons from a variety of trades and of professions.

The show business is "rotten," if I may use the word that the exhibitors give when they are asked: "How's business?" One prominent exhibitor told me last week that fifty per cent. of the exhibitors are on the verge of bankruptcy, not only in this zone, but in every zone.

The high rate of interest, which Mr. Babson described as the forerunner of panics, is here; on January 25 the Federal Reserve Bank of Chicago raised the rate from 3½ per cent. to 4 per cent. The Federal Reserve Bank of New York followed suit shortly afterwards. While no one expects a panic because of this, every one expects hard times, the result of just a natural reaction.

I could go on describing conditions in many other businesses, but I don't think it is necessary.

(Continued on last Page)

"The Legion of the Condemned"—with Gary Cooper and Fay Wray

(Paramount, March 10; 7,415 ft.; 86 to 106 min.)

A powerful aviation melodrama, similar to "Wings." Though "Wings" is much more spectacular than "The Legion of the Condemned," a great many of the situations in the latter picture are more dramatic than those in "Wings." The Legion of the Condemned is supposed to be a corps of aviators whose past had been so spotful that they seek death to forget. So any time there is a difficult mission they fight one another as to who should be the one to accept it. The scenes that show the first young aviator caught by the Germans while he was making an effort to land a spy behind the lines are powerful, particularly the ones that show him lined up against the wall to be shot; he did not weaken, but died smiling. But the most powerful scenes are those that show the heroine, who had fallen in the hands of the enemy after being left into German territory by the hero, forced by the Germans to signal the hero at the appointed time to take her away, the hero lands and is caught. The fact that the heroine was an allied spy then was verified, and both were sentenced by a court-martial to be shot. The scenes that follow, which show the hero's comrades swooping down upon the Germans and saving them, are thrilling in the extreme. The picture grips one's interest in the beginning and holds it until the last scenes.

The plot has been founded on the story by John Monk Saunders, author of "Wings." The picture has been directed by William Wellman, who directed "Wings." Gary Cooper makes a good hero, and Fay Wray a good heroine. Barry Norton, Francis McDonald, Lane Chandler, E. H. Calvert and others are in the supporting cast:—

At an Embassy Ball in Washington the hero finds the heroine, fiancée of his, in the arms of a German officer, attache of the German Embassy. He is so shocked and becomes so heart-broken that he goes to France and joins the Legion of the Condemned, seeking death so that he might forget. No mission was too dangerous for him; he sought it and fought for an opportunity to get it. He is ordered to land a spy behind the German lines. What is his surprise when he finds out that the person he was to take along was the heroine herself! She then explains to him that her allowing herself to be taken by the German officer in his lap was part of her duty. The hero is disconsolate that he should have doubted her. After being landed, she is caught and court-martialed. But as doubt existed as to her being a spy, they decide to adjourn the court-martial until they found out whether the hero would come for her. She succeeds in sending a message, but it arrived too late; the hero had already left to go take her away. The hero's chums, realizing the situation, take their aeroplanes, swoop down upon the Germans, and rescue them.

"Satan and the Woman"—with Claire Windsor

(Excellent-Regional, Jan. 20; 6,400 ft.; 74 to 91 min.)

A fairly human interest story, which has made a pretty fair program picture. Most of the sympathy for the heroine is aroused by her aunt's persecution; her father had been killed before she was born and her aunt, from her mother's side, would not acknowledge her. As a result, she had been reared by a kind-hearted woman. But the town folk had always looked down upon her as a "nameless" creature, even though her father and her mother had been married. The kind-hearted foster-mother hoped that in time the aunt's heart would soften. With this end in view, she sends the heroine to her aunt's home to take some clothes to her aunt. When the aunt sees her she becomes furious. The heroine noticed a picture on the wall that was her exact image. This made her suspect that she was in some way related to the picture on the wall. While in the garden, her aunt's nephew (an adopted child) noticed her and became attracted by her beauty. This started a friendship that eventually ripened into love.

The story ends with the heroine as the victor; with her ways she eventually made her aunt's heart soften, to such an extent that her aunt, before her death,

willed all her fortune to her. The heroine, because the hero just before her aunt's death had asked her to become his wife, thought that the hero knew that the fortune had been willed to her and therefore believed that his asking her to become his wife had been prompted by mercenary motives. This resulted in a break between them. In time, however, she realized how unjust her suspicions had been and made restitution; she married the hero.

The plot has been founded on the Young's Magazine story "Courage," by Mary Lanier Magruder. The picture has been directed by Burton King, from an adaptation by Adrian Johnson.

"Her Wild Oat"—with Colleen Moore

(First National, Dec. 25; 6,118 ft.; 71 to 87 min.)

A first-class entertainment! There is everything in it that is necessary to make people laugh; not all situations are according to Hoyle, but they make one laugh; and that is what is, after all, needed. The comedy comes from the situations, from the subtitles, and from Miss Moore's acting. At times one is at a loss to decide which makes him laugh the most, Miss Moore's acting or the clever subtitles.

The story is different from any other story that has been given her in the past. This time Miss Moore is a lunch wagon proprietress, but she is elevated to the social position of being a duchess; at least she impersonates one, until she is found out.

The scenes that show the heroine meeting the real Duke, whose name she took up, which she had seen on a bill of fare, are laugh provoking; to escape from the pursuing detective she enters a taxicab and orders the driver to drive away fast just as the Duke was entering the taxicab from the other side. When he tells her his name and asks her where she wants him to let her off, the heroine nearly faints. When she arrives back at the hotel and the awaiting hero, son of the Duke, who knew that she was impersonating his step-mother, calls her "mother," she is petrified, and the spectator is made to laugh heartily.

The plot has been founded on a story by Howard Irving Young; it has been directed by Marshall Neilan with skill. Miss Moore looks charming. Larry Kent makes a good hero. Hallam Cooley, Gwen Lee, Martha Mattox, Charles Giblin, and others are in the supporting cast.

"The Siren"—with Tom Moore and Dorothy Revier

(Columbia, Dec. 20; 5,996 ft.; 70 to 85 min.)

People that like morbid pictures should like this one to their hearts' content; the last minutes of an innocent person condemned to hang by the neck until dead are shown impressively. What makes this picture more morbid than other pictures of this type, however, is the fact that the condemned person is a woman.

The early part of the story is not bad; it shows the circumstances under which hero and heroine had become acquainted. It was during a rainy night that the heroine, while driving, is compelled to seek refuge. She breaks into a hunting lodge. Soon the hero appears and surprises her. He treats her with deference. In the morning the heroine goes away. In a few days they meet again. The villain, a high-class crook, by using cleverly the heroine's social position and her friendship, was fleecing her guests. He fleeced the hero, too, but the heroine catches him taking cards from the discard and exposes him. She orders him out of the house. Soon he returns for a show-down. The hero and he grapple. The place is set afire. The villain was about to kill the unconscious hero but the heroine shoots and fells him. The butler, who was in league with the villain, carries the villain out. The villain recovers, but his face becomes disfigured. To revenge himself, he has the butler tell the authorities that the heroine had shot and killed him, who was thought dead, because she did not want him to expose to the hero their supposed intimate relations. The heroine is tried, convicted and sentenced to hang. She is saved, however, by the timely discovery of the truth.

The story is by Harold Shumate. The picture has been directed by Byron Haskin. Norman Trevor takes the part of the villain.

"Chicago After Midnight"—with Ralph Ince, Jola Mendez and Bob Seiter

(F. B. O., March 4; 6,249 ft.; 72 to 89 min.)

A powerful melodrama of the underworld. While the story is interesting, because it has been treated from a somewhat new angle, it is the direction and the acting that make it so powerful. Mr. Ince proves to be a great director, and a very good actor besides, for he, besides directing it, has taken the part of the "heavy." Some of the scenes hold one breathless. Some of them are where the hero-villain (Ralph Ince), after serving his fifteen year term, comes out of the penitentiary and goes in search of the squealer, finding him conducting a cabaret. The scenes toward the end, where the young heroine is trapped by the hero-villain and his gang, are the most suspenseful of them all: The hero-villain did not know that the heroine was his own daughter, and gives orders that she be mistreated for having tried to get "the goods" on them; he did not know that the reason why she was trying to get something on them was her desire to have set free her young sweetheart (hero), who had been arrested for a murder he had not committed. The scenes that show the hero-villain's friend rushing to him to tell him that the girl was his own daughter are extremely suspenseful, too; the friend had been taken to police headquarters and was asked to wait there. He was nervous because every moment lost was precious. Finally he finds an opportunity to escape, and rushes to the hero-villain, just in time to tell him of his discovery and to give him an opportunity to rescue his daughter from the hands of the gang-leader, to whom he had delivered her. The scenes of the struggle are suspenseful as well as thrilling.

It is hard to say what part of the film holds the honor for direction. All has been masterfully directed. The scenes that show the young hero just regaining consciousness after a severe blow on the head with a bottle is a piece of art; young Bob Seiter could not have acted more realistically had he received a real blow. The scenes that show the hero-villain's friend at police headquarters, nervous because of his desire to let the hero know of his discovery, with the detectives playing checkers, looking unconcerned, is another piece of direction that stands out. The young heroine's acting while the hero-villain (her father) fell on the gangster like a tiger to rescue her from his hands is another noteworthy piece of direction. The picture is, in fact, full of similar artistic pieces of direction and acting.

The plot has been founded on an original story by Charles K. Harris. Every one in the cast acts well.

"The Wife's Relations"—with Shirley Mason

(Columbia, Jan. 13; 5,508 ft.; 64 to 78 min.)

An enjoyable comedy romance between a poor hero and a millionaire heroine. The comedy is caused by Ben Turpin and three other chums of the hero; they posed as servants to the hero for the purpose of impressing the heroine's father and mother with the fact that the hero is a wealthy man. One of the chums impersonates a woman. Most of the comedy is caused in the scenes where the hero's chums are serving dinner to the heroine's parents, particularly in the ones where the chums, including Ben Turpin, are making every effort to prevent the owner of the house whom they had tied on a chair, from making his presence known and from exposing their hoax. Ben Turpin's antics cause most of the comedy. The plot has been founded on the story by Stephen Cooper. The picture has been directed by Maurice Marshall well, under the supervision of Harry Cohen. Shirley Mason does good work as the heroine. Gaston Glass is an acceptable hero. Besides Ben Turpin, the following players are in the supporting cast: Flora Finch, Lionel Belmore, Armand Kaliz, Maurice Ryan, James Harrison and others.

The story deals with a millionaire's daughter, whom her mother tries to force to marry a nobleman, whom she does not love. To escape the detestable marriage, she leaves fashionable Palm Beach and returns to New York, where she obtains a position as an elevator woman. She accidentally becomes acquainted with the hero, a promising young chemist, tempo-

rarily a butler for the nobleman who wanted the heroine as a wife. Their friendship ripens into love and marriage. They live in the employer's house, where the hero's chums made their headquarters during the employer's absence. The heroine telegraphs the news of her marriage to her parents, who take the train back to New York to look over the husband. Hero and heroine decide to "put on" a good front. They make the hero's chums impersonate cooks, butlers, chamber-maids and everything. While serving dinner, the owner of the house appears. But before he had an opportunity to make his presence known the hero's chums make him a prisoner in the cellar. Everything, however, ends well; the heroine's parents liked the hero, and the father paid him a big sum of money for an invention of his.

It should please well everywhere.

"The Cohens and the Kellys in Paris"—with George Sidney and J. Farrell McDonald

(Univ.-Jewel, Jan. 15; 7,481 ft.; 87 to 106 min.)

Almost as funny as "The Cohens and the Kellys." Besides, it has many thrilling situations, of the "Safety Last" type. These occur toward the end, where the two heroes cling to the wings of an aeroplane in mid air; the spectator holds his breath for fear lest they lose their grip and fall.

Most of the comedy occurs in the cabaret, in Paris, where the two fathers went to find Paulette, a dancer, to induce her to convince the daughter of one of them (of Cohen) that, while she was posing as a model in the studio of the son of the other (of Kelly), their relations were only for business. The two heroes had gone to Paris, each bent upon preventing a marriage between their children; they did not know that the young folk had already been married. But when they find it out and learn that the young woman was going to divorce her young husband, the two fathers decide to prevent it. The two fathers are shocked when they find out that their wives had gone there, too. It is then that the fun starts. Most of the comedy is contributed by Kate Price, who takes the part of a strong woman, who beat any one that tried to molest either her husband or her husband's partner.

The picture has been directed with great skill by William Beaudine, from a scenario and adaptation by Al Cohen. George Sidney and J. Farrell McDonald make a good pair of partners (friendly enemies). Vera Gordon and Kate Price make good wives. Sue Carol, Gertrude Astor and Charles Delaney are the other principal characters.

It should go well everywhere.

"South Sea Love"—with Patsy Ruth Miller

(F. B. O., Dec. 10; 6,388 ft.; 74 to 91 min.)

Not much to it; although it has been handled by an experienced director, the story material is weak. The story unfolds chiefly in the South Sea Islands, and the principal doings are an attempt on the part of a villainous young man to make the heroine, with whom he was infatuated, marry him, even though she was in love with some one else, to whom she was engaged. In the South Sea Islands, where his half-crazed mind carried him with the purpose of murdering the hero, he is stricken with malaria fever. The hero, who had found him delirious, did not know who he was; but he nursed him back to health just the same. During his convalescence, they exchange confessions. As a result, both feeling that they had been the victim of the same woman (heroine), become fast friends. The hero tricks the heroine to the Islands with the purpose of making her suffer. But the perfidy of his supposed-friend soon becomes known. The hero asks the heroine's forgiveness. She marries him and decides to stay with him in the South Sea Islands.

The scenes that show the heroine in the South Sea Islands, dressed in the latest Fifth Avenue styles, should make many a spectator laugh "kiddingly."

The plot has been founded on the George Surdez story that appeared in the "Adventure" magazine; it has been directed by Ralph Ince. Lee Shumway takes the part of the hero, and Harry Crocker that of the villain.

In giving you this information my motive is not to discourage you, but to convince you that it is necessary for you to formulate your plans for the future, strengthening you to resist the lure of attractive campaign books, convincing literature and eloquent oratory.

* * *

This information should prove beneficial also to the producers, for it is yet time enough for them to slash the cost of production to such an extent as to be enabled to sell their pictures next season at a price that will leave them a profit. You will not pay next season as much as you paid this season—that is sure. You did not pay as much this season as you paid last season, despite the producer-distributors' efforts to make you believe the contrary. Last July's "Buyers' Strike" campaign proved most effective. Pettijohn admitted it, by implication, at Oklahoma City, last Fall, when during his speech at the exhibitors' convention, he condemned me for that campaign as having given an opportunity to the circuits to buy up all the good pictures while you were listening to my harangues. You know that the circuits have never given you an opportunity to buy pictures first, and they would not have given it to you this year either, whether there was a buyers' strike campaign on or not. Pettijohn's assault, therefore, was caused, you may rest assured, by a desire on his part to cause you to loosen up the "grip" and thus to help his employers.

Besides this indirect admission that you did not pay as much this season as you paid last season, there is also a direct admission, made to me by executives of three different film companies. So the producer-distributors might just as well stop fooling themselves and take it for granted that you are not going to pay next season even seventy-five per cent. of what you paid this season, and so make their plans accordingly. They are whistling to keep up their courage. But that won't help them. They should make big slashes in the cost of production by cutting out waste. And one of the means by which waste could be cut out is for them to drive all relatives and friends of the relatives away from the studios and place production in competent hands. If they do not take such steps, they will find themselves out of luck next season, for this paper is thinking seriously of calling next May one of the biggest exhibitor meetings that has ever been held, the main object of which will be to give you an opportunity to make decisions as to how much less all exhibitors should pay for film for the new product.

As for you, all you have to do is to read the signs of the times. We are in for a depression that will last well into 1929. As a result, you will not be able to pay for the new product the prices you paid for this season's product. You will not be able to take in even the money you will have paid for film, if you do.

Look ahead, and make your plans accordingly.

ABOUT THE BROOKHART BILL

One of the best cures for the prevailing depression in the moving picture business will be the Brookhart Bill. If this bill became a law, you would be enabled to buy only pictures that would bring in customers, instead of buying up everything—good, bad and indifferent. And when only good pictures will sell, the producers will be compelled to make good pictures.

Do not listen to every Tom, Dick and Harry telling that film prices will go up, because the cost of selling will go up on account of the fact that you will not be able to buy more than one picture at a time. The bill will do nothing of the kind. You will be able to buy as many as you are buying now.

The opponents of the bill give such an interpretation to Section 4 of the bill because the sale price for each film will have to be indicated on it. Does the same thing happen today? When the salesman comes to you and tells you that he wants four thousand dollars for his forty pictures, he has arrived at such a sum by adding the rental prices of all the pictures which prices he has marked opposite the pictures. It is only when you offer, say, three thousand dollars for the entire group, and the salesman accepts your figures, that there is an allocation of prices. It is really a re-allocation; the exchangeman must readjust the prices so that the total may not exceed the sum he and you agreed upon.

As to the argument that Section 5 (which prohibits the sale of films before they are made), is bound to make the cost of production go up, that, too, is applesauce; when the producers know that they must produce a picture before they can sell it, they will be compelled to eliminate waste. At present those fellows on the Coast are drunk with money; easy comes, easy goes. When it does not come easy it will not go easy.

Do not relax your efforts. Keep on working for the bill! Never mind about the producer-distributor propaganda. You cannot stop them from making an effort to kill the bill. They have the money and they are going to use it. The Hays organization has, as I have been informed, a budget of one and one-half million dollars. And they can use as much of it for propaganda as they feel like, and more. So forget them and concentrate all your energies to getting as much more support as you can. Mr. G. W. Erdmann, Secretary of Cleveland Motion Picture Exhibitors Association, of Cleveland, Ohio, appeared before the Operators' Union at one of their meetings and addressed them, pointing out the fact that if the Brookhart Bill did not pass, the Independent Theatre Interests would be in jeopardy, and that if the Independents were forced out of business it would throw out of employment seventy-five per cent. of their members. They sat up and took notice of what Mr. Erdmann said, and took immediate action. They sent official letters to their national representatives asking that help be given to the independent theatre owners. He has informed me that he is now working on the Musicians and on the Stage Hands Unions. You can do the same.

Colorado has informed this office that they have gone in favor of the Brookhart Bill, except Section 5, which they consider impractical. But that is one of the most important points of the bill, because it will make it impossible for the producers to sell a modern society drama and to deliver a Spanish blood-and-thunder melodrama of the 14th Century.

In my past articles, I failed to mention the fact that, according to a letter sent to T. O. C. C. by their secretary, M. P. T. O. of Maryland is one hundred per cent. for the Brookhart Bill.

HONEST-TO-GOODNESS JOURNALISM

In answer to a questionnaire sent to several exhibitors by "Exhibitors Herald and Moving Picture World," as to what they would do if they were to start over today, Mr. J. C. McCarthy, of Belle and Regent Theatres, Belleville, Canada, replied as follows:

"If I were to start over today as an exhibitor I would first subscribe to HARRISON'S REPORTS."

In view of the reluctance of some trade papers to mention HARRISON'S REPORTS even in cases when journalistic honesty demands it, it is refreshing to note the broad-mindedness of Mr. Martin J. Quigley, who did not hesitate to print Mr. McCarthy's statement without suppressing any part of it.

Exception to this criticism of trade journals should be made of Mr. David Barrist, editor of the Philadelphia "Exhibitor," and of that gem, "Brevity." Mr. Barrist has never hesitated to mention HARRISON'S REPORTS and P. S. Harrison. On the contrary, often he has gone out of his way to mention it, even at the risk of incurring the ill-will of the powers that be.

In the February "Brevity," for example, he had a cartoon showing the producers' lawyers scrambling to grab the new issues of HARRISON'S REPORTS. And believe me, there is truth in that; they do examine this paper closely with the hope of finding some chance for a libel suit.

His article about my having taken the long journey and having appeared before St. Peter, having me throw down my wings and ask St. Peter to send me to the "other" place when I was told by St. Peter that Louis B. Mayer would have charge of the picture show in Heaven, is another article; and it is a scream. (I don't know whether Louis B. Mayer has enough sense of humor to appreciate the "kidding." If he had, he ought to send Dave a fifty-page insert.)

Examples of such journalistic honesty and broad-mindedness make journalism stand high.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....\$10.00
 U. S. Insular Possessions 12.00
 Canada and Mexico.. 12.00
 England and New Zealand 14.50
 Other Foreign Countries 16.50
 25c. a Copy

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
 Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
 Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
 Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:
 Harreports
 (Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, FEBRUARY 25, 1928

No. 8

NEWS ABOUT THE BROOKHART BILL

The opposition is working desperately to create sentiment against the Brookhart Bill.

To begin with, they took a subordinate feature of the bill and tried to concentrate attention on it so that you might forget the important features.

For instance, they tried to frighten you by calling your attention to Section Seven, which authorizes the Federal Trade Commission to fix the differentials in case an affiliated exhibitor wanted the entire group of a producer's pictures. They told you that this meant government control.

After failing to accomplish their object, because you told them that, although the bill does not mean Federal control, you would prefer it to being put out of business by the producers, they tried to make you believe that, if the Brookhart Bill became a law, the prices for film would go up, because it would be too expensive to a producer to sell you one picture at a time; also because a producer could not find enough money to make twenty or thirty pictures before being permitted by law to sell them.

But again they failed to make an impression on you for the reason that you know that the bill does not make it unlawful for you to buy as many pictures under it as you bought before; and that in the matter of finding capital for the production of so many pictures in advance, a way will be found. So they are now telling you that the bill is unconstitutional.

If the Brookhart Bill is unconstitutional, why are they fighting it? They should let it become a law and then attack it in the courts. Isn't it a proof that, by fighting it, they lead us to believe that they are not so sure about its unconstitutionality?

What has made many exhibitors laugh, however, is the great solicitude they have shown for the "little" exhibitor; they feel sorry for him because he will have to pay more for film if the Brookhart Bill should become a law.

Piffle! If the Brookhart Bill could make it possible for them to get more money from you, they would be for it.

We are breaking their ranks by the constant pounding and they are desperate. Last week I had a talk with two general sales managers of local exchanges working for two of the major concerns; both told me that they are in favor of the bill and are quietly working for it. "Anybody with a grain of sense ought to be for it," they said. I have also had a talk with a few film salesmen, and was told by them that ninety per cent. of the salesmen are for the bill. One of them urged at least fifty exhibitors to write to their Senators and Representatives in favor of the bill, and has advised other salesmen to do likewise. One of them, after getting exhibitors to sign a petition against the bill, returned and advised them to recant.

The Hays organization knows of such cases and is incapable of preventing them. To offset their harmful effect, they are making desperate efforts to win over the presidents of as many exhibitor organizations as they can. They are sending C. C. Pettijohn, the wrecker of exhibitor organizations, to conventions to win over the exhibitors.

They have won over some presidents but they have not won the majority of the members. These are working for the bill. I get letters every day from territories the

Hays organization is supposed to have gained control over by gaining control of the organizations. I have letters from the State of Kansas, the writers stating that they are working for the bill, in spite of the fact that Dick Biechle is "riding along" with Will H. Hays.

There may be a conscientious objector here and there; an exhibitor that sincerely thinks that the Brookhart Bill will work against the interests of the independent exhibitors. But these are very, very few; ninety-nine per cent. of the unaffiliated exhibitors are FOR the Brookhart Bill.

The letters that I have received in the last two weeks showing the work some exhibitors are doing to gain support for the bill are, indeed, inspiring. Some exhibitors have gone so far as to send postal cards to other exhibitors at their own expense. They are lining up their patrons, too, either through advertisements in the newspapers or through appeals printed in their house organs or in specially written pamphlets.

* * *

And by the way, Philadelphia is for the Brookhart Bill; due to some misunderstanding I did not receive notice of the fact before.

Salt Lake City voted in favor of the bill.

Wisconsin is for the Bill 100 per cent.

I understand that at a district meeting of the M. P. T. O. of Washington, at Spokane, the Bill was endorsed. Seattle was to vote on it on February 12; but as yet I have not received advices as to what was done there.

One by one the organizations are lining up with us.

And by the way, have you read the editorial and article in the *Christian Science Monitor*, issue of February 2? They are "pippins." The February 2 issue of the same paper had another article, in the "In the Wake of the News" column, which also is a "pippin."

It will require too much space for me to give all the articles that have appeared in the newspapers in favor of the bill.

* * *

One of the latest gags of the opposition to make you lose heart by telling you that we have no chance, that our efforts are being wasted. I know that the opposition has millions, and that they will not stop at spending money for propaganda in an effort to defeat the bill. But we are in a better position even without funds; we can reach the public, the voters. If every state organization should work as Ohio has been working and as Michigan is working, we could put through one hundred Brookhart Bills.

Keep on working for the bill. Do not pay attention to any producer propaganda. Do not let them make you think that, if we should lose this fight, we are sunk. Such is not the case! Whether we win or lose, we shall be the winners, for in two months' time we have been able to destroy years of producer propaganda, which had made the public believe that you were the cause of the poor films. The public now knows who is responsible for such films. So no matter what will happen, we shall come out winners just the same. But we are not going to lose; the Brookhart Bill will go through, for our cause is just. If the Brookhart Bill does not go through, we are going to have a congressional investigation that will rock the foundations of the motion picture industry. Let the producers pin this on their hats!

P. S. HARRISON.

"Love Me and the World Is Mine—with Mary Philbin and Norman Kerry

(Univ.-Jewel, Feb. 11; 6,813 ft.; 79 to 97 min.)

Evidently Universal's object in producing this picture was to duplicate the success of "Merry-Go-Round," for the action of this one, too, unfolds in Vienna, and the hero is an officer of the Austrian Army, just as was the hero in "Merry-Go-Round." But it is not as good an entertainment; in fact it falls short considerably.

It is the story of a young Austrian country girl, whose beauty impresses an Austrian officer. Her uncle dies and her aunt makes life so miserable for her that she decides to go to Vienna to a cousin of hers. The hero goes back to the country town to find the heroine and is heart-broken to learn that she had gone away. Shortly afterwards she happens to meet her in Vienna and, learning where she lives, calls on her. By chance of circumstances her cousin is a girl the hero had known all along and with whom he had had intimate relations. The cousin tries to tell the heroine that officers of the Austrian Army do not marry poor girls, and that the hero's object was to treat her as he had treated her (the cousin.). A wealthy man meets the heroine accidentally and takes such an interest in her that he offers to marry her. He takes her to his home, buys her everything she needs, and makes ready for their wedding. At the last minute, however, the heroine refuses to go through with the marriage; she loves the hero. The hero was in town on furlough. His regiment receives orders to return to the front. The heroine rushes to the railroad station but the train had already started. The hero happens to see her and asks his commander to let him have a leave of absence so as to marry her. The commander gives him the leave and the hero jumps from the train and reaches the heroine.

About the best part is where the heroine is shown running after the train and calling the hero. This situation remains one of the scene in "The Pig Parade."

The plot has been founded on a story by Rudolph Hans Bartsch; it has been directed by E. A. Dupont. Betty Compson takes the part of the heroine's cousin, and Henry B. Walthall that of the wealthy man.

It is not a bad picture to show, but it will not set the world afire.

"The Crowd"—with Eleanor Boardman and James Murray

(Metro-Goldwyn, Mar. 3; 8,548 ft.; 99 to 122 min.)

The first part is a little tiresome; it is more scenic than dramatic. But the subsequent part makes up for that deficiency. There are laughs and tears throughout.

It is the story of a young man who is full of ambition, but who fails to rise beyond the position of an ordinary clerk in an insurance company; he simply didn't have the goods in him. As a result, his loyal little wife, who bore him two children, is compelled to suffer. But she bears her sufferings with fortitude. As if that wasn't all, the hero is so domineering that he finds fault with everything, even though most of the times the fault was his. The heroine's two brothers urge the heroine to leave him, but she will not do it, until she comes to realize that there was no hope that he would ever get up from the rut in which he had sunk. Her loss of her little daughter, who had been run over by a truck, helps her to make up her mind to leave him. But her spirit of self-sacrifice and her love for him was so strong that she changes her mind again, and stays with him; he proves to her that he is a changed man, and that he will battle for success.

The story of this couple is no different from the story of any couple one meets in life. The joys and the disappointments of such couples; their little quarrels; the overbearing ways of some husbands—all are depicted with realism. But the picture is not what one would expect from King Vidor. In one part the direction is so amateurish that one wonders why he should let the picture go out that way. It is where the hero, his spirit gone because failure after failure had been his lot, leaves home. His little son follows him. The son, in his childish way, talks to him. The father, moved by the faith his little son had shown in him, is inspired to exert his best efforts to obtain a job, no matter what. He lands one—that of a clown, to juggle balls in the street for the purpose of advertising a firm's goods. In the evening he returns

home with his son. And yet the mother was not distracted by the absence of her child. When he reaches home, he enters to tell his wife that he had found employment and that he was determined to make good. The child, instead of following the father, as a child would do under such circumstances in real life, does not enter. Later, when the heroine listens to her brothers to go with them, leaving the hero, the child is shown outside the house. The acts of the child and of the mother are not what would have been in real life.

The situation that deals with the running down of the little girl by the truck is too cruel to be put in an entertainment; although a necessary part of this story, it is too harrowing.

The plot has been founded on the story by King Vidor himself and by V. A. Weaver. Eleanor Boardman makes a loveable little wife. James Murray is good as the worthless husband. Freddie Burke Frederick is a loveable little child. So is little Alice Mildred Puter, as the little daughter.

"Sporting Goods"—with Richard Dix

(Paramount, Feb. 11; 5,951 ft.; 69 to 85 min.)

A commonplace story, but it has been treated so well that it has made a good entertainment. The comedy is caused by the situations, by the subtitles, and by Mr. Dix's acting. The situation in the beginning, where the hero is shown driving through the water pool and disappearing in a hole are laugh-provoking; the story shows Mr. Dix as driving through the pool in an effort to show to some strangers that it was only a shallow water pool. The scenes later in the picture where Mr. Dix is shown in an expensive suite of rooms in a hotel in Los Angeles and using his wits to keep the fact that he was penniless from becoming known is comedy provoking. The scenes where the golf suit he was wearing, a sample of his goods, is shown lengthening after becoming wet in the driving rain, too, are comedy provoking. So are the scenes where Ford Sterling is chasing him with the purpose of buying a large number of suits from him; all the while the hero thought that Ford Sterling was trying to force him to pay the money for the suits back. There are other such scenes all the way through.

The plot has been founded on a story by Tom Crizer and Ray Harris; it has been directed by Malcolm St. Clair. A love affair is shown, the heroine's part having been taken by Gertrude Olmstead, who acts well. Philip Strange, Myrtle Stedman, Wade Boteler, Claude King and Maude Turner Gordon are in the cast.

It should please everywhere.

"Beyond London's Lights"—with a Special Cast

(F. O. B., March 18; 5,583 ft.; 64 to 79 min.)

Just fair.

It is the story of a young British nobleman's love for a poor girl, whom he wanted to marry against his mother's will; she wanted him to marry a titled young woman. Mother and prospective daughter-in-law conspire to break up the love affair. The mother has the young heroine hired to work as a servant at a reception so as to humiliate her. The heroine sees the hero in the garden kiss the titled woman. Heart-broken she goes away. She does not return home, however, where her uncle had made things unpleasant for her; she decides to go to London. She is offered a "lift" by a stranger, and because he had acted so gentlemanly she accepts his offer. In London the stranger helps her to find a job, and in time he falls in love with her. It develops that the stranger is a friend of the hero. This comes to light when the hero and the girl his mother wanted him to marry come to London for the girl to buy her trousseau, and they call on him.

The story closes with the heroine's marriage to the hero's friend; she realized that she loved him rather than the unsteady hero. This she finds out when the hero's friend rushes to rescue her from an attempted assault by a former employee of the hero, who wanted her as a wife, but who had been repeatedly repulsed by her.

The action unfolds in England. The plot has been founded on the story, "Kitty Carstairs," by J. J. Bell. It has been directed by Tom Terris. Lee Shumway, Goddon Elliot, Herbert Evans, Jacqueline Gadsden and others compose the cast.

**"Rose-Marie"—with Joan Crawford,
House Peters and James Murray**

(Metro-Goldwyn, Feb. 11; 7,745 ft.; 90 to 110 min.)

Not much to it. None of the characters arouses very much sympathy, and the action at no time makes one sit up and take notice. The best part of the pictures is in the beginning, where are shown a few shots of fur traders racing their canoes in a lake up north, where the picture has been photographed. The most dramatic part unfolds in a cabin in the woods, where the villain, a murderer, sought by the hero, a Canadian mounted policeman, is shown taking the gun out of the hero's holster, which the hero stupidly had left on the chair. The villain is thus enabled to hold up the hero, the heroine, and the heroine's husband, who was dying from a broken neck. But the situation is illogical, for no mounted policeman would in real life unbuckle the holster and leave it where a murderer could get hold of it.

The plot has been founded on the musical comedy of the same name; it has been directed by Lucien Hubbard. House Peters takes the part of the Canadian Policeman; Joan Crawford that of the heroine, James Murray that of the hero, and Creighton Hale that of the man whom the heroine had been forced to marry. George Cooper, Polly Moran, Lionel Belmore, William Orlamond and others appear in the supporting cast.

It is the story of a French Canadian girl (heroine) who loves one man (hero) but who is forced by her father to marry another. And to complicate matters further, a mounted policeman loves her. When the mounted policeman finds out that she had married another man, he is heart-broken.

The story ends with the heroine marrying the hero; her husband had died.

"That's My Daddy"—with Reginald Denny

(Univ.-Jewel, Feb. 5; 6,073 ft.; 70 to 86 min.)

This is a better Reginald Denny comedy than any one of those he has been in since he produced those five gems in the 1925-26 season. It is full of laughs, caused by original situations. Mr. Denny, who takes the part of a young man about to be married to an impoverished society girl, who wanted his money, is shown as becoming the involuntary father of a youngster, a little girl. The laughs are caused by the hero's efforts to hide the baby, from fear that his fiancée might think that he had had a secret affair with some woman. The more the child calls him "daddy," the more embarrassed he feels. Comedy is provoked also by the answers the hero gave to questions, these answers being such as only an absent-minded person, or a first-class fib-teller, would give.

Little Jane La Verne, not over four years old, certainly acts as a veteran actress. She is a sweet little child and adds greatly to the success of the picture. The scenes where she is shown managing to reach the hero's yacht and calling him "Daddy!" just as the marriage ceremony was being performed are suspenseful, thrilling and comedy-provoking. The suspense and thrills are caused by her falling overboard and by the hero's diving and rescuing her. The love affair between the hero and the sister of the good-hearted policeman, who had taken his sister to the hero's home so that she might nurse the hero's "child," is charming.

The plot has been founded on a story by Mr. Denny himself. All the complications in it arise when the hero, a wealthy young man, tells the policeman that had arrested him for speeding that he was speeding to the hospital to see his child, who had been hurt. The policeman, being a father of six children himself, felt sorry for the hero. The hero is thus compelled to invent stories so as to make his tale convincing. The policeman takes the hero to the children's hospital. By chance, a child that had been run over by a truck but that had not been hurt is found and the hero is compelled to tell that it is his child. The child, an orphan, calls him "daddy," and the fun begins. The story closes with the hero marrying the policeman's sister and adopting the child.

The picture has been directed by Fred Newmeyer. Mr. Denny does good work. Miss Barbara Kent is good as the heroine. Lillian Rich, Tom O'Brien, Armand Kalitz and others are in the supporting cast.

Good for any theatre.

**"A Girl in Every Port"—with Victor
McLaglen and Louise Brooks**

(Fox, Jan. 29; 5,882 ft.; 68 to 84 min.)

An enjoyable comedy. It is the life of a sailor, who, at every port, he has a duce of a time with the girls. He finds a girl in every port. But what is his dismay in finding that, every girl he befriends, is stamped with the "insignia" of another sailor, who had been there before him! This insignia consisted of an anchor, which the girl wore either on her garter, or on her arm. So he is determined to find this person and to give him a good beating. The two accidentally meet in a port, and then the fun begins. The two, instead of having it out between themselves, join hands and give the policemen the beating of their lives. Toward the end, however, the hero falls desperately in love with a girl. The hero's chum knows that girl is no good, but he also knows that it would be useless for him to tell about her to the love-struck hero; he knows that he would not believe her and his attempt at telling him would result in the loss of their friendship. The girl, however, failing to revive the old interest of the hero's chum in her, makes the hero believe that he had made a dishonorable proposal to her. The hero, with fire spitting from his eyes, seeks and finds him chum and fells him with one blow. But when his anger cools off, he gets to thinking if her weren't, after all, unjust to his chum. He asks him to tell him the truth, and the hero gives him the facts. The hero feels sorry; he begs his chum's forgiveness and swears that he will never again let anything come between them.

The story is not untrue to life; it is characteristic of almost every sailor. Yet it has been handled so well that no broad-minded person could be offended by what is either shown or implied. There is comedy all the way through.

The plot has been founded on the story by J. B. McGuinness. The picture has been directed skillfully by Howard Hawks. Victor McLaglen makes an excellent hero, and Robert Armstrong a chum of the hero. Louise Brooks takes her part well. Maria Casajuna, Natalie Joyce, Dorothy Mathews, Elena Jurado, Sally Rand, Gretel Yoltz, Natalie Kingston, Caryl Lincoln, Felix Valle, and Phalba Morgan are the other pretty girls of the picture.

**"Wickedness Preferred"—with Lew Cody,
and Aileen Pringle**

(Metro-Goldwyn-Mayer, Jan. 28; 5,011 ft.; 58 to 71 min.)

Fairly amusing! It is a farce comedy, but the story is weak. Some of the comedy is caused by the breezy sub-titles, some by the situations.

Lew Cody is the flirty author-explorer. Aileen Pringle is his efficient wife, who knows that her husband is not serious but who keeps an eye on him so that he may not get into too much mischief. Mary McAllester is the impressionable wife of the hero's friend. George K. Arthur is the stuttering "mama's boy," who seems to spy and keep the gossipers informed about everybody.

The author (hero) and his wife (heroine) go to a fashionable seaside resort that he might rest his nerves and prepare for his next novel. She meets an old friend, a fat man, and his romantic wife, who had just finished reading the hero's latest heart-throb novel. She immediately falls in love with him. She gets herself locked out on the balcony in her efforts to get into his room to induce him to run away with her. To cure them both, the heroine allows the hero to sail away with the infatuated woman. With no food other than a box of chocolates, they are marooned on rocks when their sail boat is wrecked. When they don gunny sacks in order to allow their clothes to dry, the impressionable woman finds that her hero is not the he-man he wrote about in his novel. They quarrel and become disgusted with each other. In the meantime, the heroine and her friend's husband are pursuing them in a launch for the purpose of tantalizing them. They eat delicious picnic lunch in a cove opposite them on the rocks and carry on a "violent" flirtation. This makes the elopers angry. They object and decide that they want to go back, each to his own mate.

Nothing wicked but the title. It was directed well by Hobart Henley from an original story by Florence Ryerson and Colin Clement.

BENT UPON COMMITTING SUICIDE

Sincere, well enough. And honest. But mistaken. I worked for him and I know.

I am referring to W. A. Johnston, of *Motion Picture News*, who is out and against the Brookhart Bill, because, as he puts it, it is "unjustified Governmental interference with private business and class legislation of the menacing sort." "It is Government regulation of the motion picture industry," he says. And he believes that there ought to be brains enough in this industry to solve its problems without outside interference.

On the other side of this editorial, Mr. Johnston prints an article under the caption, "The Industry on Trial," in which he takes the producers to task for entering into an agreement to cut down advertising.

"The time has come, it would seem," says Mr. Johnston, "when this industry's relations with its trade press should be as impersonal, intelligent and dignified as befits an industry with some fifty million regular consumers and some sixty thousand public stockholders.

"It appears that, about a year ago, representatives of most of the film companies formed a committee on trade paper advertising. An allotment was agreed upon of so many advertising pages per picture. . . .

"Just at present the film companies are crying out against the Brookhart Bill, because it would impose government commission rule upon this business. Yet they are endeavoring, by just such committees as the one cited, to govern themselves by commission rule of thumb. . . ."

After condemning this agreement, demanding recognition for the trade papers, in the form of advertising insertions, Mr. Johnston continues:

"If they [the trade papers] are not to have this recognition THEN THERE IS, I SINCERELY BELIEVE, LITTLE TO BE SAID IN BEHALF OF THIS INDUSTRY'S PRESENT INTELLIGENCE AND FUTURE STABILITY. . . ." (the capitals are ours).

* * *

Conditions have not changed in the least since Mr. Johnston wrote this article; the trade papers receive just as little advertising as they did before, not because "there is very little intelligence in this business," as Mr. Johnston puts it, but because there is very little good will; there is too much selfishness.

Yet Mr. Johnston asks us to stop looking for relief from the only source relief can be obtained from—the United States Congress.

Mr. Johnston asks us once again to trust those who in the past failed to prove worthy of our trust. But let me say to Mr. Johnston that if he will continue trusting them himself, he will eventually be out of the trade paper business. It is not Right that rules in this industry; it is personal interest.

Let Mr. Johnston trust them! We will not! We prefer to have the government back of us!

* * *

All the trade paper editors, when you point out how dark is their future, admit it. But they still keep on fighting you on the only chance you have ever had to get relief.

They have come out against the Brookhart Bill, some of them not because they sincerely believe that it will in any way harm the moving picture industry but because they hope to get some advertising by proving to the advertisers how loyal they have been in the hour of their, the producer-distributors', need.

It is really tragic; for despite this "show" of loyalty, their efforts will be in vain; the producers bow only before one thing—superior force; persuasion is of no avail, as Mr. Johnston's editorial has conclusively proved.

Let the trade papers keep on fighting us by attacking the Brookhart Bill! We cannot help it if they are bent upon committing suicide!

PICTURES METRO-GOLDWYN OWE YOU

In the last four weeks I received several inquiries from exhibitors as to when Metro-Goldwyn-Mayer will deliver some pictures that they owe them from the 1926-27 contract.

Some of those inquiries concern the three Novarro productions:

"Romance" was delivered as production No. 1.

"Lovers" (646) has been delivered as Novarro No. 3.

"Forbidden Hours" (730), which will be released on

March 10, is, I believe, the Novarro production which they have designated as No. 2. At least I know of one case where they have furnished play dates for it as such.

In reference to "A Certain Young Man," which they scheduled for release once but which they withdrew afterwards, let me say that I have received private information to the effect that it is so poor that Metro-Goldwyn-Mayer have decided not to release it. So those of exhibitors that have a Novarro picture coming to them will do well to accept any other Novarro picture they may be offered. Remember that when the contract specifies a particular star's picture by the name of the star and no stories are given, the distributor has the right to deliver them any pictures of that star he sees fit.

Fairness demands, of course, that a star's picture be delivered in the order in which they have been produced. But you will be looking for needles in a haystack if you should expect fairness from Metro-Goldwyn.

They have been owing you a Fred Niblo production for a long time. If they were fair about it they would give it to you; for they have one. They have, in fact, had several made, any one of which could have been delivered to you for the purpose of paying this debt, but they have not delivered any one of them, perhaps hoping that you will forget all about it.

Why don't you ask them to deliver "The Enemy"? That is a Fred Niblo production. If they refuse to give it to you, then, when they come around to sell you the 1928-29 program, ask them to give you a Fred Niblo picture before you will sign up for the new product.

"The Mysterious Island" (642) has, if my information is correct, been abandoned; they wasted so much money when they started to make it two years ago (about \$500,000) on account of blunders in the supervision of it, that they have decided not to make it now.

"How Dare You" (635) has not been made. And you cannot force a producer-distributor to deliver something that he has not made. That is, at least, what the contract specifies.

1927-28 SUBSTITUTIONS

Many exhibitors have asked me to inform them if the Fox "Gateway of the Moon" is the same picture as "Luna Park." It is not; for "Luna Park" was, according to the Work Sheet New Form S-4-5M, 6-3-27A, to be "A colorful story of carnival life with Victor McLaglen, Greta Nissen, Charles Farrell," with Victor McLaglen in a role "second only to that remarkable characterization of Captain Flagg in 'What Price Glory,' to be directed by Howard Hawks," whereas "Gateway of the Moon," as said in the review, which was printed on February 11, page 12, is a South American Jungle story, and it was directed by John Wray Griffith.

COLOME THEATRE

COLOME, SOUTH DAKOTA

DEAR MR. HARRISON:

I have written to all of the Senators and Congressmen from South Dakota regarding the Brookhart Bill, and have had several others write to them and am getting more every day.

Mr. Harrison! You are rendering a great service to the independent exhibitors, who should show enough human interest and enough intelligence to help themselves in matters like the Brookhart Bill. It is a fine chance for us to lick the giants, and if we don't take advantage of this situation it is only because we lack ambition. It doesn't cost much; only a little effort.

This is not your fight, but Mr. Harrison I wish to say frankly that I consider your aid to the independent exhibitors worth far more than all the exhibitors' organizations that have ever existed, because you are the first to serve us with helpful and intelligent information. You have your thumb on the pulse of the film trust at all times and the minute they get irregular we know it through your REPORTS.

Your paper is very irritating to the giants.

I am watching with interest to see if Mr. Will H. Hays will reply to your question in last week's REPORTS as to where he stood on the Brookhart Bill. The less he says the less stench there will be. And no doubt he will remain silent.

My fondest hopes are that you may be spared many years to keep on with this good work.

Very truly yours,

F. J. LEWIS.

IN TWO SECTIONS—SECTION TWO

HARRISON'S REPORTS

Vol. X

SATURDAY, FEBRUARY 25, 1928

No. 8

Partial Index No. 1—Pages 1 to 28

Baby Mine—Metro-Goldwyn	7
Bare Knees—Gotham-Lumas-Regional	14
Beau Sabreur—Paramount	15
Beware of Married Men—Warner Bros.	14
Branded Sombbrero, The—Fox	6
Buck Privates—Universal-Jewel	23
Chicago After Midnight—F. B. O.	27
Chinese Parrot, The—Universal-Jewel	2
Circus, The—United Artists	7
Cohens and the Kellys, The—Universal-Jewel	27
Come to My House—Fox	11
Coney Island—F. B. O.	2
Daredevil's Reward, A—Fox	10
Divine Woman, The—Metro-Goldwyn	10
Dove, The—United Artists	2
Drums of Love—Griffith-United Artists	18
Enemy, The—Metro-Goldwyn	3
Fangs of the Wild—F. B. O.	11
Finnegan's Ball—First Division	7
Fortune Hunter, The—Warner Bros.	7
Freckles—F. B. O.	14
Gateway of the Moon, The—Fox	22
Gentlemen Prefer Blondes—Paramount	10
Haunted Ship, The—Tiffany	15
Her Summer Hero—F. B. O.	6
Her Wild Oat—First National	26
Husbands for Rent—Warner Bros.	2
Lady Raffles—Columbia-Reg.	22
Last Command, The—Paramount	19
Legion of the Condemned, The—Paramount	26
Let 'Er Go, Gallagher—Pathe-deMille	11
Love and Learn—Paramount	7
Love Mart, The—First National	2
Mother Machree—Fox	15
Noose, The—First National	11
On Your Toes—Universal-Jewel	10
Perfect Gentleman, A—Pathe	6
Phantom of the Range—F. B. O.	22
Pinto Kid, The—F. B. O.	14
Pioneer Scout, The—Paramount	22
Race for Life, A—Warner Bros.	18
Rush Hour, The—Pathe-deMille	19
Sadie Thompson—United Artists	23
Sailors' Wives—First National	11
Satan and the Woman—Excellent-Regional	26
Sharpshooters—Fox	18
Shepherd of the Hills—First National	6
Silk Legs—Fox	3
Siren, The—Columbia	26
South Sea Love—F. B. O.	27
Thanks for the Buggy Ride—Universal-Jewel	14
That Certain Thing—Columbia-Reg.	22
13 Washington Square—Universal-Jewel	18
Two Flaming Youths—Paramount	3
Warning, The—Columbia-Regional	6
West Point—Metro-Goldwyn	3
Wife Savers—Paramount	10
Wife's Relations, The—Columbia	27
Woman Wise—Fox	23

FIRST NATIONAL PICTURE EXHIBITION VALUES

377 The Sunset Derby—June 3	700,000B—700,000P
407 Dance Magic—June 12	900,000B—800,000P
404 Framed—June 19	950,000B—950,000P
391 Naughty But Nice—June 26	1,300,000B
385 Lonesome Ladies—July 3	700,000B
422 The Devil's Saddle—July 10	500,000B
443 The Prince of Headwaiters—July 17	900,000B
413 White Pants Willie—July 24	800,000B
409 For the Love of Mike—July 31	900,000B
548 Poor Nut—Aug. 7	1,000,000B
432 The Stolen Bride—Aug. 14	1,100,000B
405 Hard Boiled Haggerty—Aug. 21	950,000B
423 Three's a Crowd—Aug. 28	1,000,000B
368 Camille—Sept. 4	Special
465 The Red Raiders—Sept. 4	700,000B
450 Smile, Brother, Smile—Sept. 11	900,000B
453 The Life of Riley—Sept. 18	1,100,000B
400 The Drop Kick—Sept. 25	1,100,000B
545 Rose of the Golden West—Oct. 2	Special
433 American Beauty—Oct. 9	1,100,000B
379 The Crystal Cup—Oct. 16	900,000B
319 Breakfast at Sunrise—Oct. 23	Special
457 No Place to Go—Oct. 30	800,000B
469 Gun Gospel—Nov. 6	\$600,000B
547 The Gorilla—Nov. 13	Special
462 Home Made—Nov. 20	800,000B
452 Man Crazy—Nov. 27	900,000B
549 A Texas Steer—Dec. 4	Special
441 Valley of the Giants—Dec. 11	950,000B
544 The Love Mart—Dec. 18	Special
393 Her Wild Oat—Dec. 24	1,300,000B
546 Shepherd of the Hills—Jan. 1	Special
542 Helen of Troy—Jan. 8	Special
446 French Dressing—Jan. 15	900,000B
459 Sailors' Wives—Jan. 22	800,000B
437 The Noose—Jan. 29	1,100,000B
445 The Whip Woman—Feb. 5	900,000B
426 The Chaser—Feb. 12	1,000,000B
464 The Wagon Show—Feb. 19	600,000B
455 Flying Romeos—Feb. 26	1,100,000B
447 Mad Hour—Mar. 4	
440 Burning Daylight—Mar. 11	950,000B
434 Heart of a Follies Girl—Mar. 18	
448 The Big Noise—Mar. 25	
436 The Little Shepherd of Kingdom Come—Apr. 8	
451 Ladies' Night in a Turkish Bath—Apr. 1	1,000,000B
461 Chinatown Charlie—Apr. 15	
541 Lilac Time—Apr. 22	
460 Three-Ring Marriage—Apr. 29	
468 Canyon of Adventure—Apr. 29	

FEATURE PICTURE RELEASE SCHEDULE 1927-28 Product

Columbia Features

Nov. 26—"The Warning"	Jack Holt
Fashion Madness—Claire Windsor	Dec. 8
Dec. 20—"The Siren"	Dorothy Revier
That Certain Thing—Viola Dana	Jan. 1
My Wife's Relations—Shirley Mason	Jan. 13
Lady Raffles—Estelle Taylor	Jan. 25
So This Is Love—S. Mason-Wm. Collier, Jr.	Feb. 6
A Woman's Way—W. Baxter-M. Livingston	Feb. 18

Excellent Features

6100 "Back to Liberty"—George Walsh.....Dec. 1
 Satan and the Woman—Windsor-Keefe.....Jan. 20
 The Stronger Will—P. Marmont-R. Carewe...Feb. 20
 Women Who Dare—Helene ChadwickMar. 20

F. B. O. Features

8233 Driftin' Sands—Bob SteeleJan. 1
 8207 Coney Island—Lois MoranJan. 13
 8215 Dead Man's Curve—D. Fairbanks, Jr.....Jan. 15
 8243 Wizard of the Saddle—Buzz Barton.....Jan. 22
 8209 Little Mickey Grogan—Frankie Darro.....Jan. 39
 8294 Fangs of the Wild..Ranger the Dog...Feb. 5
 82111 Her Summer Hero—Blane-Trevor....Feb. 12
 82012 Wallflowers—Trevor-ScottFeb. 16
 8234 Riding Renegade—Bob SteeleFeb. 19
 8224 Texas Tornado—Tom TylerFeb. 26
 82011 Chicago After Midnight—Eddy-Ince...Mar. 4
 8244 The Little Buckaroo—Buzz Barton...Mar. 11
 82110 Beyond London Lights—Shumway...Mar. 18
 82015 Freckles—Fox-Bosworth-DarroMar. 21
 8235 Breed of the Sunsets—Bob Steele....Apr. 1
 8295 Law of Fear—Ranger, the Dog.....Apr. 8
 82016 Crooks Can't Win—Lewis-HillApr. 7
 8218 Red Riders of Canada—Patsy R. Miller.Apr. 15
 8225 Phantom of the Range—Tom Taylor...Apr. 22
 82014 The Little Yellow HouseApr. 24
 8245 The Pinto Kid—Buzz Barton.....Apr. 29

Fox Features

Wolf Fangs—Chas. MortonNov. 27
 The Wizard—Ed. Lowe-L. HyamsDec. 11
 Silk Legs—Madge BellamyDec. 18
 Come to My House—A. Moreno-Olive Borden..Dec. 25
 Gateway of the MoonJan. 1
 Woman Wise—Wm. Russell-June Collyer.....Jan. 8
 The Branded Sombrero—Buck Jones.....Jan. 8
 Sharpshooters—Geo. O'Brien-L. Moran.....Jan. 15
 \$5,000 Reward—Tom MixJan. 15
 A Girl in Every Port—Victor McLaglen.....Jan. 29

Gotham Features

San Francisco Nights—Percy Marmont.....Jan. 1
 Bare Knees—Virginia Lee CorbinFeb. 1
 Turn Back the Hours—Myrna Loy.....Mar. 1
 The Chorus KidApr. 1
 The Head of the Family.....May 1
 Hell Ship Bronson—Mrs. W. Reid.....May 1
 The Man Higher Up.....June 1
 United States Smith—(Special)June 1
 Thru the BreakersJuly 1

Metro-Goldwyn-Mayer Features

853 Love—Garbo-GilbertJan. 2
 817 West Point—Haines-CrawfordJan. 7
 832 Divine Woman—Garbo-HansonJan. 14
 812 Baby Mine—Arthur-DaneJan. 21
 846 Law of the Range—McCoy-Crawford.....Jan. 21
 805 Wickedness Preferred—Cody-Pringle ...Jan. 28
 854 Student Prince—Novarro-ShearerJan. 30
 825 Latest From Paris—Shearer-Forbes.....Feb. 4
 843 Rose Marie—Crawford-MurrayFeb. 11
 839 The Big City—Chaney-CompsonFeb. 18
 855 The Enemy—Gish-ForbesFeb. 18
 816 Smart Set—Haines-DayFeb. 25
 841 The Crowd—Boardman-MurrayMar. 3
 730 Forbidden Hours—Novarro-AdoreeMar. 10
 828 The Patsy—Davies-CaldwellMar. 17
 819 Bringing Up Father—McDonald-Moran..Mar. 24
 848 Wyoming—McCoy-SebastianMar. 24
 840 Laugh, Clown, Laugh—Chaney-Murphy..Apr. 7
 842 The Cossacks—Adoree-GilbertApr. 14
 802 Under the Black Eagle—R. Forbes.....Apr. 21

Tiffany Features

Jan. 1—"A Woman Against the World"..Harrison Ford
 The Tragedy of Youth—W. Baxter-R. Miller...Jan. 15
 Their Hour—D. Sebastian-J. Harron.....Feb. 1

Paramount Features

Jan. 7—2772—"Beau Sabreur".....Gary Cooper
 2705 Wife Savers—Beery-HattonJan. 7
 2741 Love and Learn—E. Ralston-L. Chandler..Jan. 14
 Jan. 21—2713—"The Pioneer Scout".....Fred Thomson
 2785 The Last Command—E. Jannings.....Jan. 21
 2784 Gentlemen Prefer Blondes—Taylor-White..Jan. 28
 2751 Peaks of Destiny—U. F. A.Jan. 28
 2754 Under the Tontó Rim—Arlen-Brian...Feb. 4
 2745 The Secret Hour—Negri-HersholtFeb. 11
 2717 Sporting Goods—R. Dix.....Feb. 11
 2737 Doomsday—F. Vidor.....Feb. 18
 2761 The Showdown—Geo. Bancroft-E. Brent.Feb. 25
 2727 Feel My Pulse—B. Daniels.....Feb. 25
 2786 Old Ironsides—W. Beery-E. Ralston...Mar. 3
 2783 Tillie's Punctured Romance—Fields...Mar. 3
 2708 Red Hair—Clara BowMar. 10
 2787 The Legion of the Condemned—Cooper.Mar. 10
 2703 Partners in Crime—Beery-Hatton.....Mar. 17
 2742 Something Always Happens—Ralston...Mar. 24
 2750 Adventure Mad—U. F. A. Prod.....Mar. 31
 2789 Speedy—Harold LloydApr. 7
 2733 4th MenjouApr. 7
 2714 Sunset Legion—Fred ThomsonApr. 14
 2746 Three Sinners—Pola NegriApr. 14
 2718 Easy Come, Easy Go—R. Dix.....Apr. 21
 2728 She Wouldn't Say Yes—B. Daniels....Apr. 28
 2788 Behind the German Lines (Tent).....Apr. 28
 2723 3rd MeighanApr. 28

Pathe Features

1178 Laddie Be Good—Bill CodyJan. 1
 1191 The Ballyhoo Buster—Buffalo Bill, Jr....Jan. 8
 1199 Desperate Courage—Wally WalesJan. 15
 1230 A Perfect Gentleman—Monty Banks.....Jan. 15
 1183 What Price Beauty—Nita NaldiJan. 22
 1208 Boss of the Rustler's Roost—Don Coleman.Jan. 22
 1251 The Cowboy Cavalier—Buddy Roosevelt....Jan. 29
 1234 Crashing Thru—Jack PadjanFeb. 5
 1206 The Apache Raider—Leo MaloneyFeb. 12
 1192 Valley of Hunted Man—Buffalo Bill, Jr.Feb. 19
 1209 The Bronc Stomper—Don Coleman....Feb. 26
 1224 Marlie the Man-Killer—Dog Picture...Mar. 4
 1200 Saddle Mates—Wally Wales.....Mar. 11
 1217 The Bullet Mark—Jack DonovanMar. 25
 1210 The Black Ace—Don Coleman.....Apr. 8
 1225 The Law's Lash—Dog Picture.....Apr. 15

Pathe-de Mille Features

320 On to Reno—Marie PrevostJan. 1
 314 Let 'er Go Gallagher—Jr. Coghlan.....Jan. 16
 304 The Leopard Lady—Jacqueline Logan.....Jan. 25
 323 The Night Flyer—William Boyd.....Feb. 5
 321 Stand and Deliver—Rod LaRocque.....Feb. 20
 325 A Blonde for a Night—Marie Prevost...Feb. 27
 336 Chicago—Haver-VarconiMar. 5
 334 The Blue Danube—Leatrice JoyMar. 12
 324 Midnight Madness—Logan-BrooksMar. 26
 309 The Sky Scraper—William BoydApr. 9
 317 His Country—R. Schildkraut.....Apr. 23

Rayart Features

Casey Jones—Lewis-St. John-PriceJan.
 The Heart of Broadway—Garon-Agnew.....Jan.
 You Can't Beat the Law—Lee-Keefe.....Feb.
 My Home Town—Brockwell-GlassFeb.
 The Phantom of the Turf—Costello-Lease....Mar.
 Gypsy of the North—Hale-Gordon.....Mar.

Sterling Features

Burning Up Broadway—H. Costello-R. Frazer..Jan. 30
 Marry the Girl—B. Bedford-Bob Ellis.....Mar. 1

Universal Features

Jan. 22—A5719—"Alias the Deacon," Hersholt-Marlowe-Graves	
Jan. 29—A5697—"The Rawhide Kid".....Hoot Gibson	
A5702 Finders Keepers—L. LaPlante	Feb. 5
A5698 The Shield of Honor—All Star.....	Feb. 19
A5701 Midnight Rose—DePutti-Harlan.....	Feb. 26
A5705 Surrender—Philbin-Mosjukine	Mar. 4
A5707 Stop That Man!—All Star	Mar. 11
A5703 A Trick of Hearts—Hoot Gibson.....	Mar. 18
A5712 Thanks for the Buggy Ride—LaPlante.	Apr. 1
A5714 13 Washington Square—All Star	Apr. 8
A5715 We Americans—All Star.....	Apr. 22

United Artists Features

The Devil Dancer—Gilda Gray.....	Dec.
The Dove—Norma Talmadge	Jan.
Drums of Love—M. Philbin-L. Barrymore.....	Feb.
Ramona—Dolores Del Rio	Mar.
Tempest—John Barrymore	Apr.
Steamboat Bill, Jr.—Buster Keaton.....	Apr.
The Passionate Adventure (Tent).....Colman...	Apr.
Hell's Angels—J. Hall-Ben Lyon	none set

Warner Bros. Features

217 The Silver Slave—Irene Rich.....	Nov. 19
196 Ginsberg the Great—Geo. Jessel.....	Nov. 26
207 Brass Knuckles—Monte Blue	Dec. 3
215 If I Were Single—May McAvoy.....	Dec. 17
199 Husbands for Rent—Moore-Costello.....	Dec. 31
200 Beware of Married Men—Irene Rich.....	Jan. 14
216 A Race for Life—Rin-Tin-Tin	Jan. 26
206 The Little Snob—May McAvoy	Feb. 11
193 Across the Atlantic—Monte Blue.....	Feb. 25
192 Powder My Back—Irene Rich.....	Mar. 10

RELEASE SCHEDULE FOR COMEDIES**Educational—Two Reels**

Jan. 1—There It Is.....Charley Bowers	
Jan. 1—Dummies	Larry Semon
Jan. 8—Racing Mad	Al. St. John-Mermaid
Jan. 15—Cutie	Dorothy Devore
Jan. 22—Wildcat Valley.....	Johnny Arthur-Tuxedo
Jan. 29—High Strung.....	Jerry Drew-Mermaid
Always a Gentleman—Lloyd Hamilton	Feb. 5
Sword Points—Lupino Lane	Feb. 12
A Simple Sap—Larry Semon	Feb. 12
Chilly Days—Bib Boy—Juvenile	Feb. 19
His Maiden Voyage—Davis-Mermaid	Feb. 26
Visitors Welcome—Arthur-Tuxedo	Mar. 4
Indiscreet Pete—Drew-Mermaid	Mar. 11
Between Jobs—Lloyd Hamilton	Mar. 18
What a Girl—Lupino Lane	Mar. 25
Circus Blues—Dorothy Devore	Mar. 25

Educational—One Reel

Wedding Slips—Collins-Cameo	Jan. 1
The Smoke Scream—Felix the Cat	Jan. 8
All Set—Lupino-Cameo	Jan. 15
Draggin' the Dragon—Felix the Cat.....	Jan. 22
Running Ragged—Sargent-Cameo	Jan. 29
The Oily Bird—Felix the Cat	Feb. 5
A Mysterious Night—Collins-Cameo	Feb. 12
Ohm Sweet Ohm—Felix the Cat	Feb. 19
Pretty Baby—Collins-Cameo	Feb. 26
In Japanicky—Felix the Cat	Mar. 4
Count Me Out—Hellum-Cameo	Mar. 11
In Polly-tics—Felix the Cat	Mar. 18
Spring Has Come—Collins-Cameo	Mar. 25

Fox—Two Reel Comedies

Jan. 1—Hot House Hazel	Van Bibber
Jan. 18—Hold Your Hat.....	Imperial
Jan. 29—The Kiss Doctor	Van Bibber

F. B. O.—Two Reels

Jan. 2—Mickey's Parade.....	Mickey McGuire Series
Jan. 9—A Social Error.....	Karnival Komedies
Jan. 9—Panting Papas	Standard Comedy
Jan. 23—All Washed Out.....	Karnival Komedies
Mickey in School—Mickey McGuire	Feb. 6
Rah Rah Rexie—Karnival	Feb. 6
Oui Oui Heidelberg—Standard	Feb. 13
Too Many Hisses—Karnival	Feb. 20
Mickey's Nine—Mickey McGuire	Mar. 5
Top Hats—Karnival	Mar. 5
The Happy Trio—Standard	Mar. 12
Are Husbands People?—Karnival	Mar. 19
Mickey's Little Eva—Mickey McGuire	Apr. 2
My Kingdom for a Hearse—Karnival.....	Apr. 2
All Alike—Standard	Apr. 9
After the Squall Is Over—Karnival.....	Apr. 16
Restless Bachelors—Karnival	Apr. 30

Metro-Goldwyn-Mayer—Two Reels

Jan. 7—Pass the Gravy	Davidson
Jan. 14—Spook-Spoofing	Our Gang
Jan. 21—Lady of Victories (tech)	Events
Jan. 21—All for Nothing	Chase
Jan. 28—Leave 'Em Laughing	All Star
Dumb Daddies—Davidson	Feb. 4
Rainy Days—Gang	Feb. 11
The Family Group—Chase	Feb. 18
The Finishing Touch—Stars	Feb. 25
Came the Dawn—Davidson.....	Mar. 3
Edison, Marconi & Co.—Gang.....	Mar. 10
The Czarina's Secret—Events	Mar. 17
Aching Youths—Chase	Mar. 17
From Soup to Nuts—Stars	Mar. 24
Blow by Blow—Davidson	Mar. 31
Barnum & Ringling, Inc.—Gang	Apr. 7

Metro-Goldwyn-Mayer—One Reel

Perfume and Nicotine—Oddity	Jan. 14
Jungle Round-Up—Oddity	Jan. 28
Children of the Sun—Oddity	Feb. 11
Secrets of the Sun—Oddity	Feb. 25
Amazing Lovers—Oddity	Mar. 10
Monarch of the Glen—Oddity	Mar. 24
Wicked Kasamir—Oddity	Apr. 7
Primitive Housekeeping—Oddity	Apr. 21

Paramount—Two Reels

Jan. 7—Dad's Choice	Horton
Jan. 14—Frenzy	Novelty
Jan. 21—Fighting Fanny	Christie
Jan. 28—Save the Pieces	Vernon
Water Bugs—Dooley	Feb. 4
Holy Mackerel—Adams	Feb. 11
Just the Type—Christie-Burns	Feb. 18
Adoration—Novelty	Feb. 25
Behind the Counter—Horton	Mar. 3
Sweeties—Vernon	Mar. 10
Long Hose—Christie-Duffy	Mar. 17
Love Shy—Adams	Mar. 24
Knights of the Air—Novelty.....	Mar. 31
Campus Cuties—Dooley	Apr. 7
Halfback Hannah—Christie	Apr. 14
Bugs My Dear—Vernon	Apr. 21
Goofy Ghosts—Adams	Apr. 28

Paramount—One Reel

Koko's Kink—Inkwell Imps	Jan. 7
Pig Styles—Krazy Kat	Jan. 14
Koko's Kozy Corner—Inkwell Imps	Jan. 21
Shadow Theory—Krazy Kat	Jan. 28
Koko's Jerm Jam—Inkwell Imps	Feb. 4
Ice Boxed—Krazy Kat	Feb. 11
Koko's Bawth—Inkwell Imps	Feb. 18
A Hunger Stroke—Krazy Kat	Feb. 25
Koko's Smoke—Inkwell Imps	Mar. 3
Wired and Fired—Krazy Kat	Mar. 10
Koko's Tattoo—Inkwell Imps	Mar. 17

Love Sunk—Krazy Kat	Mar. 24
Koko's Earth Control—Inkwell Imps	Mar. 31
Tong Tied—Krazy Kat	Apr. 7
Koko's Hot Dog—Inkwell Imps	Apr. 14
A Bum Steer—Krazy Kat	Apr. 21
Koko's Haunted House—Inkwell Imps	Apr. 28

Pathe—Two Reel Comedies

Jan. 1—Playin' Hooky	Gang-Roach
Jan. 8—Smith's Holiday	Sennett-Smith
Jan. 15—Should Tall Men Marry?.....	Roach
Jan. 15—Run, Girl, Run	Sennett
Jan. 22—The Beach Club	Sennett
Jan. 29—Love at First Flight.....	Sennett
Smith's Army Life—Sennett-Smith	Feb. 5
Flying Elephants—Roach	Feb. 12
The Best Man—Sennett	Feb. 19
The Smile Wins—Gang-Roach	Feb. 26
The Swim Princess—Sennett	Feb. 26
Smith's Farm Days—Smith-Sennett	Mar. 4
Galloping Ghosts—Roach	Mar. 11
The Bicycle Flirt—Sennett	Mar. 18
Smith's Restaurant—Smith-Sennett	Apr. 1
Motor Boat Mamas—Sennett	Apr. 15
Smith's Catalina Rowboat Race—Smith.....	Apr. 29

Pathe—One Reel

Fighting Relatives—Roach	Mar. 4
Do Monkeys Manicure?—Roach	Apr. 1

Universal—Two Reels

Jan. 2—Newlyweds' Advice.....	Newlyweds' Series
Jan. 4—Horseplay.....	Keeping Up with the Joneses
Jan. 9—A Case of Scotch.....	Gumps
Jan. 11—Buster's Big Chance.....	Buster Brown Series
Jan. 18—Dates for Two.....	Mike and Ike Series
Jan. 23—Any Old Count	Gumps
Jan. 25—High Flyin' George.....	Let Geo. Do It Series
Jan. 30—Horns & Orange Blossoms..	Puffy-Cohen Series
Start Something—Stern Bros.	Feb. 1
Newlywed's Servant—Junior Jewels	Feb. 6
The Cloud Buster—Gumps	Feb. 6
Buster Steps Out—Stern Bros.....	Feb. 8
The Prince and the Papa—Puffy-Cohen.....	Feb. 13
Man of Letters—Stern Bros.....	Feb. 15
A Damp Day—Gumps	Feb. 20
What a Party—Stern Bros.....	Feb. 22
All Balled Up—Puffy-Cohen	Feb. 27
George's False Alarm—Stern Bros.....	Feb. 29
Newlywed's Success—Junior Jewels	Mar. 5
Indoor Golf—Stern Bros.	Mar. 7
His Inlaws—Puffy-Cohen	Mar. 12
Buster Shows Off—Stern Bros.	Mar. 14
No Blondes Allowed—Stern Bros.	Mar. 21
Some Babies—Puffy-Cohen	Mar. 26
Watch George—Stern Bros.	Mar. 28
Newlywed's Imagination—Junior Jewels	Apr. 2
Her Only Husband—Stern Bros.	Apr. 4
Married Bachelors—Puffy-Cohen	Apr. 9
That's That—Stern Bros.	Apr. 11
Taking the Count—Stern Bros.....	Apr. 18
When George Hops—Stern Bros.....	Apr. 25

Universal—One Reel

Some Pets—Lake-Drugstore Cowboy.....	Jan. 2
Harem Scarem—Oswald Cartoon	Jan. 9
So This Is Sap Center—Hall-Highbrow.....	Jan. 16
Neck 'N Neck—Oswald Cartoon	Jan. 23
By Correspondence—Lake-Drugstore Cowboy.....	Jan. 30
The Ole Swimmin' Ole—Oswald Cartoon....	Feb. 6
Mistakes Will Happen—Hall-Highbrow	Feb. 13
Africa Before Dark—Oswald Cartoon.....	Feb. 20
Back To Nature—Lake-Drugstore Cowboy...Feb.	27
Rival Romeos—Oswald Cartoon.....	Mar. 5
Social Lions—Hall-Harold Highbrow	Mar. 12
Bright Lights—Oswald Cartoon	Mar. 19
Ringside Romeos—Lake-Drugstore Cowboy...Mar.	26
Special Edition—Hall-Harold Highbrow	Apr. 9
One Every Minute—Lake-Drugstore Cowboy.....	Apr. 23

Fox

38 Even Number	Saturday, Feb. 4
39 Odd Number	Wednesday, Feb. 8
40 Even Number	Saturday, Feb. 11
41 Odd Number	Wednesday, Feb. 15
42 Even Number	Saturday, Feb. 18
43 Odd Number	Wednesday, Feb. 22
44 Even Number	Saturday, Feb. 25
45 Odd Number	Wednesday, Feb. 29
46 Even Number	Saturday, Mar. 3
47 Odd Number	Wednesday, Mar. 7
48 Even Number	Saturday, Mar. 10
49 Odd Number	Wednesday, Mar. 14

International

10 Even Number	Saturday, Feb. 4
11 Odd Number	Wednesday, Feb. 6
12 Even Number	Saturday, Feb. 11
13 Odd Number	Wednesday, Feb. 15
14 Even Number	Saturday, Feb. 18
15 Odd Number	Wednesday, Feb. 22
16 Even Number	Saturday, Feb. 25
17 Odd Number	Wednesday, Feb. 29
18 Even Number	Saturday, Mar. 3
19 Odd Number	Wednesday, Mar. 7
20 Even Number	Saturday, Mar. 10
21 Odd Number	Wednesday, Mar. 14

Kinograms

5367 Odd Number	Saturday, Feb. 4
5368 Even Number	Wednesday, Feb. 8
5369 Odd Number	Saturday, Feb. 11
5370 Even Number	Wednesday, Feb. 15
5371 Odd Number	Saturday, Feb. 18
5372 Even Number	Wednesday, Feb. 22
5373 Odd Number	Saturday, Feb. 25
5374 Even Number	Wednesday, Feb. 29
5375 Odd Number	Saturday, Mar. 3
5376 Even Number	Wednesday, Mar. 7
5377 Odd Number	Saturday, Mar. 10
5378 Even Number	Wednesday, Mar. 14

Pathe

13 Odd Number	Saturday, Feb. 4
14 Even Number	Wednesday, Feb. 8
15 Odd Number	Saturday, Feb. 11
16 Even Number	Wednesday, Feb. 15
17 Odd Number	Saturday, Feb. 18
18 Even Number	Wednesday, Feb. 22
19 Odd Number	Saturday, Feb. 25
20 Even Number	Wednesday, Feb. 29
21 Odd Number	Saturday, Mar. 3
22 Even Number	Wednesday, Mar. 7
23 Odd Number	Saturday, Mar. 10
24 Even Number	Wednesday, Mar. 14

Metro-Goldwyn-Mayer

50 Even Number	Saturday, Feb. 4
51 Odd Number	Wednesday, Feb. 8
52 Even Number	Saturday, Feb. 11
53 Odd Number	Wednesday, Feb. 15
54 Even Number	Saturday, Feb. 18
55 Odd Number	Wednesday, Feb. 22
56 Even Number	Saturday, Feb. 25
57 Odd Number	Wednesday, Feb. 29
58 Even Number	Saturday, Mar. 3
59 Odd Number	Wednesday, Mar. 7
60 Even Number	Saturday, Mar. 10
61 Odd Number	Wednesday, Mar. 14

Paramount

55 Odd Number	Saturday, Feb. 4
56 Even Number	Wednesday, Feb. 8
57 Odd Number	Saturday, Feb. 11
58 Even Number	Wednesday, Feb. 15
59 Odd Number	Saturday, Feb. 18
60 Even Number	Wednesday, Feb. 22
61 Odd Number	Saturday, Feb. 25
62 Even Number	Wednesday, Feb. 29
63 Odd Number	Saturday, Mar. 3
64 Even Number	Wednesday, Mar. 7
65 Odd Number	Saturday, Mar. 10
66 Even Number	Wednesday, Mar. 14

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....\$10.00
U. S. Insular Posses-
sions 12.00
Canada and Mexico.. 12.00
England and New
Zealand 14.50
Other Foreign Coun-
tries 16.50
25c. a Copy

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It Is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, MARCH 3, 1928

No. 9

There Will Be a 50% Film Rental Cut Next Season

Two weeks ago I printed the fact that Governor Smith of New York State requested Industrial Commissioner Hamilton to ascertain the unemployment situation and to make an immediate report to him. Here is part of what Mr. Hamilton reported:

For New York City:

The Urban League had, in January, 1927, 365 applicants for every one hundred jobs whereas in January, 1928, 1,075. This represents an increase of approximately 34 per cent.

The Bronx Y. M. C. A. had 568 applicants for every 100 jobs in January, 1927, and 776 in January, 1928. This represents an increase of seven and three-tenths per cent.

The Vocational Service for Juniors had in January, 1927, more than enough jobs to go around for minors between the ages of 14 and 18, whereas in the same month this year at least one-third of the minors could not get a job.

An average of 100 veterans a day, nine out of each ten married, sought employment according to the American Legion of Bronx County.

One hundred per cent. is the increase of applicants for jobs in 1928 according to two large employment agencies.

A stream of applicants in and out all day long with no available jobs is the report of the Sixth Avenue agencies for hotels and restaurants.

According to the Commissioner of Licenses, in the commercial employment bureaus the demand for workers was ten per cent. less this winter, whereas the number of those seeking work was ten per cent. more.

The Employing Printers' Association reports more applicants for work in January, 1928, than in any month during the last six years.

Fifteen thousand, out of a membership of forty-five thousand, are out of work, according to the report of the Amalgamated Clothing Workers.

For the State:

The Industrial Commissioner reports that, according to information furnished him by the State Federation of Labor, an acute unemployment situation exists in the entire state.

Six up-state cities with a total population of 1,258,683 have approximately 70,000 unemployed.

Buffalo, a city of 538,016, has between thirty-five and forty thousand out of work. About forty per cent. of the workers of the leading building trades are idle, with about 8,000 unemployed. There is also a bread line in some places. Relief agencies' figures show that for the first time since 1921 the City Mission has organized a bread line, feeding 200 daily. The Erie County Lodging House for the first time since 1921 has opened an emergency annex.

In Rochester, with a population of 316,786, the Chamber of Commerce reported to the Commissioner that the number of unemployed are 10,000. About fifty per cent. of the workers in the clothing industry are out of work, with a similar percentage of unemployed among the bricklayers, masons and carpenters. The Chief of Police reported that there have not been so many applicants for relief since 1922.

In Syracuse, with a population of 182,003, the unemployed are estimated to be between five and seven thousand.

Of the two large firms in Schenectady that were canvassed, one reported that the conditions are worse

now than they have been in 1921, and the other reported that, in October, 1927, it employed 19,600 workers, but now it employs 1,200 fewer, and of those that it employs, many of them work part time.

In Utica, with a population of 101,604, about 4,500 are unemployed as against 2,500 last year; or, 51 per cent. more unemployed this year.

An analogous situation exists in the smaller cities.

The situation throughout the country is no different from that which exists in this state; there are unemployed everywhere, and the number is swelling constantly.

* * *

Two weeks ago, in the editorial, "Look Ahead!" in treating of the prevailing depression and suggesting to you to make your buying plans for the future now, I expressed the hope that the producers would take notice of the prevailing depression and make big cuts in the cost of production, so that they might be able to sell their pictures next season for less; I warned them that they should do this, because I believed that you would not be able to pay even seventy-five per cent. of what you have paid for the current season's product. I now find out that I was too late with those recommendations, for the producers have already taken such steps; only that they did not, for obvious reasons, make the matter known; they did not want you to know about it so that you might not demand a cut in the price of your film. Fortunately, however, an exhibitor who has just returned from the Coast, where he spent two months and had an opportunity to learn much, has informed this paper about the slash in production costs.

"I have been out to the West Coast for a couple of months," this exhibitor writes, "and I want to tell you that the way they are cutting down the cost of production should bring film rentals down. I have been informed authoritatively that the sets for "London After Midnight" cost less than \$2,500. The director was instructed not to go over that amount and to use stock sets. And he didn't.

"That's the general policy now; nothing but stock sets to be used.

"Instructions have been issued also that the scripts be all set, the pictures to be shot at nearly the exact footage as the finished product calls for. Instead of shooting a scene over and over, and from several angles, the one shot must do. And that is common sense. . . ."

* * *

The producers are at last showing common sense; they are doing now what they should have done years ago.

Your one thought now should be to share in this benefit; you should get your film next season for at least fifty per cent. less than you got it the current season. You should set your mind to it from this very minute; don't wait until the beautiful press-sheets are out; they are liable to lure you into paying more. You will be sunk if you do, for no one looks for an improvement in business conditions until the next winter has passed.

There is going to be a fifty per cent. cut in film rentals next season. Paint this on the wall of your office, in plain view, so that the callers may not have difficulty in seeing it.

P. S. HARRISON.

"Finders Keepers"—with Laura La Plante

(Univ.-Jewel, Feb. 5; 6,081 ft.; 70 to 86 min.)

A delightful comedy-romance, in which the laughs are created by the heroine's efforts to marry her soldier sweetheart before his regiment leaves for the war front in France. The scenes where she is shown dressed in a soldier's uniform, which does not fit her, with her trousers threatening to fall all the time, are comical in the extreme. Most of the comedy, in fact, is caused while Miss La Plante masquerades as a soldier. The love interest is fairly strong. Miss La Plante makes a good heroine; Johnnie Harron a good hero; and Eddie Phillips a good Second Lieutenant, rival of the hero. Miss La Plante takes the part of the daughter of the Colonel, under whom the hero and his rival serve.

The plot has been founded on a story by Mary Roberts Rinehart; it has been directed skillfully by Wesley Ruggles.

It should give good satisfaction everywhere.

"Peaks of Destiny"—with a German Cast

(Paramount-Ufa, Jan. 28; 6,940 ft.; 80 to 99 min.)

Nothing to it. There are some wonderful skiing scenes in it and many beautiful Alpine snow scenes, but the story is trite, and the acting amateurish. It would have been better for Paramount to take the skii racing scenes out and make a two-reel scenic out of it than to attempt to deliver it as a drama of feature length. Then those who would see it would become enthralled by it. As it is, the poverty of the story and of the acting kills even the effect of the beauty of the scenery and of the unusualness of the skii races. Some of the scenes in the races were taken with a slow motion camera. The effect is thus striking.

The story unfolds in the Swiss Alps and is supposed to show the frailty of a woman, who, though she is in love with one man, to whom she is engaged, she flirts with another, a young man, friend of her sweetheart. The sweetheart conceives a fiendish plan to remove his friend and rival from the way; he invites him to a climb, and then pushes him off the cliff. At the last moment, however, he realizes the height of his crime and holds him hanging by the rope that was fastened to him, until help arrives and saves them both. The story closes with the marriage of the heroine to her sweetheart.

The picture has been produced by Ufa. Ernest Peterson is the hero; Leni Riefenstahl, the heroine; Louis Trenker, the friend; and Frieda Richard, the hero's mother.

"Ham and Eggs at the Front"—with Tom Wilson and Heinie Conklin

(Warner Bros., Dec. 24; 5,613 ft.; 65 to 80 min.)

Pretty good war-front comedy. The first half is rather slow, but it picks up in the second half. Most of the comedy is caused by two soldiers, Tom Wilson and his buddy, Heinie Conklin, who impersonate colored soldiers. The action revolves around the doings of a colored regiment. The superstition colored people have for ghosts, too, contributes toward making the second half comical. In the scenes where the pair is sent to explore a "haunted" house for the purpose of detecting a German spy are comical in the extreme; in several scenes each of the two heroes is shown dragging behind him a skeleton.

The plot has been written by Darryl Francis Zanuck; it has been directed well by Roy Del Ruth.

It should give pretty good satisfaction everywhere.

"Streets of Shanghai"—with Pauline Starke and Kenneth Harlan

(Tiffany, Dec. 18; 5,276 ft.; 61 to 75 min.)

A good melodrama, revolving around an American marine's love for an American Missionary, teacher of Chinese children in Shanghai. The love interest is pretty strong. There are some thrills, too, caused by the attempt of Chinese bandits to shoot and kill the heroine, because the son of a prominent Chinaman was in love with her. The scenes where the hero, the heroine and her Chinese servants are shown defending the mission and the bandits setting fire to it, with the marines arriving just in time to drive the attackers away and to rescue them, are suspenseful.

The story has been written by John Francis Natteford; it has been directed well by Louis J. Gasnier. Pauline

Starke makes a good heroine; Kenneth Harlan a good hero. Eddic Gribbon furnishes no little comedy as the hero's pal. Jason Robards, Sojin, Anna May Wong, Mathilde Comont and others are in the supporting cast.

It should give good satisfaction.

"Buttons"—with Jackie Coogan

(M-G-M, Dec. 24; 6,050 ft.; 70 to 86 min.)

Better than the average Jackie Coogan picture. There is considerable comedy all the way through, much human interest, and not a few thrills. The comedy is caused chiefly by young Coogan with Paul Hurst, who takes the part of a gym instructor. The human interest is aroused by the loyalty Jackie Coogan, an orphan, shows towards the captain (Lars Hanson) of the ship, who had befriended him and had given him a chance in life after taking him out of the streets. This interest reaches the highest point when Jackie Coogan, while in a life boat, swims back to the sinking ship, unwilling to desert his friend, the captain. His diminutive size but great moral courage wins the spectators' admiration. The scenes where the young hero and the captain find themselves in the water after the ship had turned turtle are suspenseful in the extreme; the spectator sighs with relief when the two are rescued. The scenes of the collision with the iceberg are suspenseful, too.

The story revolves around the fickleness of the heroine, and around a young boy-hero's efforts to serve his benefactor, captain of a ship, by acquainting him with the fact.

The scene showing Jackie Coogan opening the letter the heroine's admirer had sent to her shows lack of good taste; it teaches a bad moral lesson, no matter what the motive is. Some other way should have been employed to acquaint the boy of the fact that the heroine was faithless to her fiancé, the captain.

George Hill wrote the story and directed the picture; Gertrude Olmsted is the heroine; Lars Hanson the captain; Roy D'Arcy the villain; Paul Hurst the gym instructor; Polly Moran the chambermaid.

"The Showdown"—with George Bancroft

(Param., Feb. 25; 7,166 ft.; 83 to 102 min.)

The work of Mr. Bancroft in this picture is as good, his acting as impressive, as was that in "Underworld"; only that the story is not as strong. "The Showdown" has no machine guns and there is no shootings and killings; it is chiefly a revelation of character. But it is dramatically powerful just the same. There is a fight between the hero and the villain. This gives the picture a melodramatic twist. But it is chiefly drama.

The story is supposed to unfold in an oil field, somewhere in the tropics, in a Latin American country, where the hero and a partner of his, a weak young man, were drilling for oil. The young man could no longer stand the monotony or life there and took to drink and to women. The young partner's brother and his brother's wife (heroine) arrive; his brother had lost money belonging to others and went to him with the hope of recouping his fortune and paying back the investors. The hero (George Bancroft) told the heroine that that was no place for a decent white woman and that if she remained there the climate would "get" her. The heroine replied that she was well able to take care of herself, no matter where she might find herself, because her love for her husband strengthened her.

The story closes showing the heroine nearly "conquered" by the climate. The hero saved her from an attempted assault by the villain. The heroine tells the hero that his strength had at last conquered, and asked him to take her away. Her husband's appearance, however, gives her strength to resist the temptation; she upbraids the hero. The hero asks the husband to cut the cards so that it might be determined who was to leave camp and keep the heroine. The hero loves the heroine so truly that he purposely loses, so that the heroine might win. He then goes back to his old "flame."

The plot has been founded on Huston Branch's story "Wildcat"; it has been directed by Victor Schertzinger. Evelyn Brent plays the part of the heroine, Neil Hamilton that of the husband, and Fred Kohler that of the villain.

It is not, of course, a Sunday School picture, but it is good for adults. The sex matters have been handled delicately.

"Doomsday"—with Florence Vidor

(Paramount, Feb. 18; 5,665 ft.; 66 to 80 min.)

The second half is not quite as interesting as the first half, but on the whole "Doomsday" is an interesting and appealing drama. The sight of the beautiful heroine working from early in the morning till late at night washing clothes and doing other menial work, making a comfortable home for her father, arouses the spectator's sympathy for her. In the scenes where Miss Vidor is dressed up in expensive clothes and wearing diamonds, she looks beautiful.

The action unfolds in a small town in England. It shows the heroine as a drudge. A wealthy old man lives near her and every day he watches her with his field glasses, hoping that some day he will be able to induce her to marry him. The heroine is in love with a young farmer, whom she had promised to marry. But she gives him up for the wealthy man. Soon, however, she finds out that money does not bring happiness; she divorces her husband and goes to the young farmer. The young farmer, however, will not have her for the reason that he thinks her too unsteady to let her become his wife. But the heroine eventually proves to him that she will make a good wife to him.

The plot has been founded on the *McClure Magazine* story by Warwick Deeping, author of "Sorrell and Son." It has been directed with skill by Rowland V. Lee. Florence Vidor makes a good heroine; Gary Cooper a good hero. Lawrence Grant takes the part of the wealthy man well. Charles A. Stevens impersonates the father of the heroine.

It is a picture suited chiefly to high-class custom.

"The Leopard Lady"—with Jacqueline Logan

(Pathe-DeMille, Jan. 23; 6,650 ft.; 77 to 95 min.)

A strong melodrama, which unfolds around a circus in a small town in Austria, and in which the thrills are caused mostly by the heroine, who is an animal trainer. The scenes where she is in the iron cage, making two leopards perform, are the most thrilling, particularly the moments where her whip snatches and, unable to control them, the animals quit fighting among themselves and one of them jumps on her. The action is suspenseful almost all the way through, the suspense being caused by the frequent mysterious deaths, which are supposed to be caused by an old woman, really a gorilla. The scenes where the hero is attacked by the gorilla are thrilling. The scenes where the heroine, suspecting the Cossack as the cause of the murders, is shown in his quarters searching his effects and finding evidence of it are extremely suspenseful; the spectator fears lest she be detected. The scenes that show her being attacked by the gorilla are suspenseful, too.

The plot has been founded on the play of the same name by Edward Childs Carpenter; it has been directed by Rupert Julian with skill. Robert Armstrong takes the part of the hero; Jacqueline Logan that of the heroine; Alan Hale that of the villainous Cossack. James Bradbury, Sr., Dick Alexander, William Burt, Sylvia Ashton and others are in the cast.

The story revolves around a leopard trainer (heroine) who accepts a commission from the police commissioner of Vienna to detect the criminal that murdered people. The authorities suspected some one in a circus, and the heroine is asked to join it. She at first refuses, but when she is offered a substantial sum of money as a reward, she accepts; she thus hopes to have enough money to marry her American sweetheart (hero), a merchant marine man. She succeeds, but not until she endangered her life and the life of her beloved.

"The Chaser"—with Harry Langdon

(First National, Feb. 12; 5,745 ft.; 66 to 82 min.)

Mediocre. It seems as if Mr. Langdon's style of acting is not adapted to comedies of the feature length. That is what one may deduce from the fact that, although Mr. Langdon has made many a good two-reel comedy, he has made only one good comedy of the feature length—"Tramp, Tramp, Tramp." There are very few laughs in the would-be comical situations, and the interest is not aroused to an appreciable degree. In places, the action is monotonous and, as a result, tiresome.

The story is supposed to show Mr. Langdon as a henpecked husband, whom his wife brings to court on charges of cruelty. The judge imposes a novel sentence on him

—to don women's clothes, and to keep house for a month.

The end shows the hero asserting himself and making his wife keep her place.

Mr. Langdon seems to find pleasure in low comedy. In one scene he tries to make people laugh by putting a tin pan against the fat part of his back while he is in a stooping position. In other scenes he introduces a baby chair, with pots and pans and the rest. These are the kind of comedy attempts that were abandoned long ago.

Written and directed by Mr. Langdon.

"The Whip Woman"—with Estelle Taylor and Antonio Moreno

(First Nat., Feb. 6; 5,107 ft.; 59 to 73 min.)

Not much to it. None of the characters does anything noteworthy. Consequently none arouses much sympathetic interest.

It is the story of a Hungarian nobleman, impoverished by the World War, who falls in love and wants to marry a beautiful peasant girl, whom her townfolk admire, respect and fear, because she is so strong that she is able to take care of herself against men, occasionally using her whip to make them behave themselves. But the hero's mother, who objects to such a union, succeeds in bringing about a misunderstanding between them and a consequent separation; she did this because she thus hoped to induce her son to marry a wealthy titled woman. But the hero eventually marries the peasant girl.

The story is by Forrest Halsey and Leland Hayward. It has been directed by Joseph C. Boyle. Lowell Sherman, Hedda Hopper, Julianne Johnston and Loretta Young appear in the cast.

"The Latest From Paris"—with Norma Shearer

(M-G-M, Feb. 4; 7,743 ft.; 90 to 110 min.)

Just a passable comedy romance of a saleswoman that outwits a salesman. Each sells the same kind of articles, women's wear. There are some mild laughs here and there. The love interest is fairly strong:—

A salesman and a saleswoman (hero and heroine) meet on the train in the dining car, and the hero, not knowing that the heroine is the person that had beaten him out of sales, vows that if "he" would ever cross his path again he would show "him." The heroine takes it all "in," and conceives a plan by which she could beat him out of a big sale. She does so, much to the chagrin of the hero. But in the end, finding that they love each other, they become engaged. The heroine, however, cannot think of marrying him until she had put her young brother through college. This brings the first tilt between them, because the hero believed that brothers should be kicked out and be left to shift for themselves. The heroine returns home, but finding her brother married, wiles the hero that she is going back to him for the marriage ceremony.

The picture has been directed well by Sam Wood, from an original story by A. P. Younger. Ralph Forbes is the young hero, and William Bakewell the young brother. George Sidney is in the cast.

"The Noose"—with Richard Barthelmess

This picture was reviewed on page 11. Henry Hobart was given the credit as having directed it. Mr. Hobart calls the attention of this paper that this is an error; John Francis Dillon directed it.

"Sadie Thompson"—with Gloria Swanson

In the review of this picture on page 23, it was stated through a typographical error that Allan Dwan directed it. Raoul Walsh has directed it.

LAST MINUTE NEWS

This is written Tuesday morning before going to press. The hearing for the Brookhart Bill started yesterday, is continued today and perhaps will not close until tomorrow.

A telephone message from Mr. Sol Raives, President of T. O. C. C., stated that the exhibitors that gathered in Washington for the hearing, organized themselves into a body to take care of Congressional legislative matters, elected a Steering Committee and immediately drafted Mr. Charles L. O'Reilly as chairman. This action means the death of M. P. T. O. A.

FLOPS AND HITS

"The Dove," a United Artists picture with Norma Talmadge, has made a failure in New York City and it is conjectured that it will make a failure in the rest of the country; the story is weak.

"Gauchon," a United Artists picture, with Douglas Fairbanks, is an excellently produced big picture, but it has not drawn in this city and it is doubtful if it will draw anywhere else. The fact that one of the characters is a person that is stricken by an incurable disease makes the picture repulsive.

"The Devil Dancer" has not done any "killing" in this city. It is a well produced picture but it will no doubt interest chiefly the cultured picture-goers, who are limited in numbers.

"Drums of Love," the United Artists picture that has been produced by D. W. Griffith, is "dying a natural death" in this city; it is extremely artistic but too heavy for general consumption; it is tragedy.

"Chicago," Pathe DeMille, has made a failure in this city. It is hardly a small-town picture.

"The Enemy," Metro-Goldwyn-Mayer, has proved to be a good-sized flop in this city.

"Sunrise" has been given a forced run in this city. It is reported that in Newark, at the Fox Terminal, it drew big crowds; but it is "dying" in Detroit. It is an extremely artistic production but it will no doubt appeal to a limited number; the rank-and-file will hardly care for it.

"Four Sons," the Fox Superspecial, has just opened up in this city; it is drawing big crowds.

"Love," the Metro-Goldwyn picture, with John Gilbert and Greta Garbo, is drawing well.

"Uncle Tom's Cabin," the Universal Superspecial, has made a good, though not extra, showing in this city. But it is a picture that everyone who sees it raves about it. In the smaller towns it ought to go extremely well.

"Sadie Thompson," the United Artists picture, with Gloria Swanson, is drawing big at the Rivoli, this city.

"Sorrell and Son," the Herbert Brenon-United Artists picture, drew big crowds at the Rivoli, and according to the exhibitors that have played it, it has proved the best money-maker of the season.

"My Best Girl," United Artists, with Mary Pickford, proved a flop.

"Quality Street," the Metro-Goldwyn-Mayer-Cosmopolitan picture, with Marion Davies, was a flop in New York City and may prove a flop elsewhere.

"The Private Life of Helen of Troy," First National, is drawing fairly well in the smaller towns.

"The Circus," the latest Charlie Chaplin picture, drew big crowds at the Strand, this city, and it is predicted that it will draw big crowds everywhere.

"Mother Machree," the Fox superspecial, which will open in this city next week, should draw big crowds.

"Wings," the Paramount Superspecial, is drawing well in this city.

JUST TO MAKE SOME THINGS CLEAR

"Exhibitors Herald and Moving Picture World," in its issue of February 18, printed a letter from Mr. N. L. Royster, Secretary of M. P. T. O. of N. Car., dealing with the Brookhart Bill.

Among other things, Mr. Royster said:

"The exhibitors I have talked to so far are about 50-50 regarding the Brookhart Bill, and just because Mr. Harrison or some one else wants our endorsement in the matter is no reason why I should give it without the backing of our state organization."

This statement is wrong and is liable to mislead those that have read it. I have not asked the North Carolina organization or any other to endorse the Brookhart Bill against the will of the majority. What I did was to ask Mr. Royster and Mr. Picquet to state their attitude in the matter. Mr. Royster replied that he was for it but that he did not want to assume the responsibility of committing his organization in so important a matter without authorization. Mr. Picquet failed to reply.

Mr. Royster's attitude was proper; no leader should commit his organization in any matter of importance without a meeting or of a referendum. The trouble, however, is that there has been held neither a meeting nor a referendum in that state, so far as I have been able to ascertain. Consequently, an entire organization is committed against the bill just because some of its executives are opposed to it. This is neither just nor fair. Such an attitude puts us in a position

where we can attribute ulterior motives to the leaders of that organization. And no one can blame us for it.

Messrs. Picquet and Royster must realize one thing, that as leaders of an organization they have assumed certain obligations. One of such obligations is to carry out the will of the majority. But how can they say that in the question of the Brookhart Bill they are carrying out the wishes of the majority when they have failed to ascertain it by accepted methods? Meeting some exhibitors in the street and asking them to express their sentiment is not the accepted method of ascertaining the sentiment of the majority of the members.

Messrs. Royster and Picquet have, of course, the right to feel the way they want to in any question; this is a free country and they are entitled to their opinion. But what they are not entitled to is to stifle the opinion of others. And that is what they are doing by failing either to call a state-wide meeting or to hold a referendum.

This goes for the other state organization leaders that have acted in the same way, too.

And by the way, I have just been informed by Secretary Hone, that the unaffiliated exhibitors of Washington went on record in favor of the Brookhart Bill. The Washington organization consists of both affiliated and unaffiliated exhibitors. But the affiliated exhibitors withdrew when the motion for the endorsing resolution was made.

I have been also informed that the Kansas exhibitors are bitterly opposed to the attitude of Dick Biechle toward the Brookhart Bill; the majority of the members are disgusted with the policy of the organization and they are not paying dues.

FOOD FOR THOUGHT

I have received the following letter from a Pittsburgh exhibitor:

"Charging 25c admission till 6 o'clock, no theatre in Pittsburgh can compete with Metro-Goldwyn-Mayer or with United Artists subjects played at Loew's Penn Theatre. Next year we won't buy them.

"Roxy broadcasted requests for letters regarding whether the residents of Pittsburgh wanted a Roxy. If they do, we won't play Fox."

"Will the exhibitors continue to popularize, to their detriment, pictures made by producers and played in producer theatres?"

"Will the exhibitors continue to popularize brands of pictures so that the producers may play them at their own theatres later and reap a harvest?"

* * *

This is not the only trouble with Pittsburgh and Metro-Goldwyn-Mayer. Metro is showing "Love" at the Embassy, this city, at two dollar top admission prices. But in Pittsburgh they have shown it in a Loew house at 25c part of the matinee, 35c the other part, and 60c in the evening. The bill includes vaudeville.

Of course, Harrison's Reports is for low prices of admission in picture theatres. But the Loew organization is not charging low prices in Pittsburgh because they want to benefit the public.

They are killing the neighborhood houses in that city, and the neighborhood houses of Pittsburgh ought to make up their minds now whether they are going to stand for such a condition.

THIS ONE DESERVES THE "BOOBY" PRIZE

The trade papers of January 21 carried a Metro-Goldwyn-Mayer ad in which there was a picture of two men drinking cocktails. Over this picture there were the words: "We Can Afford to Get Good and Boiled. Business is Great!"

For lack of good taste this ad should certainly win the prize. It puts the moving picture industry in the class of breweries and saloons, and those engaged in it in the class of brewers and saloonkeepers.

I don't know who conceived this ad, but he should certainly be sent to write ads for brewers and saloonkeepers; he should not be allowed to write ads for moving pictures.

Will H. Hays may keep on banning books and plays; so long as there are persons in this industry that lack ordinary sense of propriety, his efforts will be useless; for what he may build in one year some one will destroy in one day.

HARRISON'S REPORTS

Yearly Subscription Rates:
United States.....\$10.00
U. S. Insular Possessions 12.00
Canada and Mexico.. 12.00
England and New Zealand 14.50
Other Foreign Countries 16.50
25c. a Copy

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher
Established July 1, 1919
Tel.: Pennsylvania 7649
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, MARCH 10, 1928

No. 10

THE CASE OF IOWA

You know, of course, that the exhibitors of Iowa, the home state of Senator Brookhart, have supposedly gone on record as opposing the Brookhart Bill.

On Wednesday, February 29, C. C. Pettijohn, representing the Hays organization, took the stand before the Senate Committee on Interstate Commerce, which was holding a hearing on the Brookhart Bill, and spoke against the bill. He gave the committee the names of the exhibitors of the different states that are supposedly in favor of the present system of arbitration. When he mentioned the name of E. P. Smith, President of the Iowa exhibitors, Senator Brookhart interrupted him and asked him questions as to what took place before the memorable resolution against the bill was adopted. The Senator was trying to prove that it was due to the machinations of C. C. Pettijohn that the exhibitors passed that resolution.

C. C. Pettijohn denied that he used any undue influence on the Iowa exhibitors to oppose his bill, stating that he merely talked to them and pointed out to them how injurious the Brookhart bill would be to the interests of the independent exhibitors.

Senator Brookhart then read into the record the following letter, which was sent to me by Mr. Smith a month before the meeting:

Des Moines, Iowa, January 12, 1928.

Mr. P. S. Harrison,
1440 Broadway,
New York City.

DEAR MR. HARRISON:

I wish to acknowledge receipt of your letter of the 7th, forwarded to me from Newton, Iowa, causing a few days' delay.

I am glad you have pointed your finger out our way, because Senator Brookhart is from Iowa and we surely ought to be doing something to back him up. It looks to me as if he has hit the nail on the head with his bill. Just how he ever learned so much about the motion picture business is more than I can figure, but it sounds O. K. to me.

It seems to me that he has incorporated in his bill the essence of the trade commission parley. Every independent theater owner should write his Congressman and Senators to vote for the bill and to get their friends to do so as well.

I happen to know Senator Brookhart quite well. He has fought some hard battles in Iowa, but there is nothing he likes any better. If he is really interested in this matter of ours he will not give it up easily. The producers are probably working quietly and effectively through the Hays organization and because of the political influence of Will Hays our Senator may find a lot of opposition.

Our weakness, of course, is our lack of organization. On paper we have a fair state association. In reality it does not amount to much. I have been either the president, secretary or business manager since 1922. Working without salary. Going to Chicago, New York, Columbus, each year, or some other place and spending a good deal of my own money. I do not see that I have accomplished a great deal. If we had something to tie our state organization to we might make some permanent growth, but it seems to me right now that our National body is just about NIL. I like the leaders personally. But what do we do when we get together? Nothing but argue. Not more than two men can agree exactly on the same thing. When I left the Columbus convention last June I was of the opinion that I had wasted a lot of my time and money trying to be a part of the theater owners organization.

I doubt if it is ever any different. The rank and file do not have confidence in the leaders and the leaders want to hold some prominent office and get their names in the trade papers. I am sure that the average independent exhibitor has more confidence in Pete Harrison than he does in any of the state or National leaders. And I can not blame him because I seem to have that feeling myself. I guess it will finally be up to you, Pete, to "lead us out of the wilderness."

From where we sit, out here in the sticks, it looks as if it was not worth while to make the effort. Of course we will support Senator Brookhart. We have called a general meeting of all Iowa theater owners at Des Moines, January 23. We have also asked them all to write their Congressman and each of the Senators. I feel quite sure the Iowa delegation will support the bill. Senator Steck is not friendly to Brookhart, but think we can show him that he should support us on this matter.

Let me say this in closing. Call on me anytime for anything. I believe your publication is more widely read and more carefully read by theater owners and exchange men than anything else that's printed. I don't know just how you do it, but you sure know how to make 'em like it. They believe you are honest and most

of them know you are telling the truth. You can't give them any too much hell to suit me. I would like to know you better and hope to some of these days.

Kindly correct my address for your files. I am permanently located at Des Moines and am looking after all Iowa M. P. T. O. business and correspondence at the address given below.

Wishing you every success in your work and hoping that I may in some way be permitted to assist you in your wonderful work for the good of the industry, I am,

Sincerely yours,

E. P. SMITH

E. P. Smith,
1517 - 42nd Street,
Des Moines, Iowa.

* * *

When Senator Brookhart finished reading this letter, Pettijohn took the floor to assure the Committee that Mr. Hays has never read the Brookhart Bill, he has not discussed it with him, and that he has not used any political influence to kill it. He then assured the Senator that Mr. Smith changed his mind legitimately, after hearing him (Pettijohn) point out the dangers of the Bill. "Mr. Smith was, in fact, the last man to change his mind on Sunday when we met," Pettijohn said. (These are not the exact words, but it is what he said. When I get the transcript of his speech I shall give it to you word for word.)

When Pettijohn finished speaking, the Senator read the following letter into the record:

* * *

Des Moines, Iowa, February 6, 1928.

Thomas Arthur,
Mason City, Iowa.
Dear Tom:

We are all expecting you here for the 13th Tom, and that is not all, we would like for you to come down Sunday if you can. There is a lot of discussion of the Brookhart Bill. Pettijohn is going to be here Sunday and has asked to meet fifteen of us at 3 P. M., Sunday afternoon. Hope you can come Sunday and positively must have you Monday.

At the meeting Sunday we want to draw up some resolutions and have them to present Monday, so we can get somewhere.

We will also elect officers and do a lot of other business. Hope you can come in for Sunday for the 3 P. M. meeting with Pettijohn. If you find it absolutely impossible to come at all will you drop me a line, Tom, but are surely going to expect you.

Sincerely,

E. P. SMITH.

* * *

The reading of this letter stunned Pettijohn, for he did not know that the Senator had such a document in his hands; he was worrying lest I appear at the hearing myself, well enough, bringing with me the letter Mr. Smith had sent me, because I was told that the day before some one among the Hays forces spoke about some letter that I had in my possession and the supposition is that he referred to the Smith letter to me. But he, Pettijohn, did not dream that one of Smith's letters trying to "fix" the passing of the resolution against the Bill would have fallen into the hands of Senator Brookhart.

Mark that Pettijohn said to the Committee, in answer to interrogating by Senator Brookhart, that Smith was the last man he won over; but Smith wrote to Mr. Arthur fully seven days before the meeting that it was Pettijohn that had asked him to invite fifteen exhibitors to "frame" the resolution.

Why only fifteen exhibitors?

At the meeting there were only thirty exhibitors present. I suppose that that was the number that had been

(Concluded on last page)

"Burning Daylight"—with Milton Sills*(First Nat., March 11; 6,500 ft.; 75 to 92 min.)*

It was said before that the Jack London stories are literary masterpieces but do not offer material strong enough for strong pictures. "Burning Daylight" is not a bad picture but it offers no extraordinary entertainment. The "punch" is in the scenes where the hero is shown holding up the two millionaires at the point of a gun and taking away from them the three million dollars that they had cheated him of by stock manipulation. But it is a question whether it is wise to show a hero doing such a thing. The story starts in Alaska and gets to San Francisco, where the hero went to become wealthy by gambling in stock, after he had sold his valuable gold mine in the Klondike. In the first half of the picture Mr. Sills arouses not very much sympathy, because he is shown as showing indifference toward the heroine, who had stuck by him and had benefitted him, showing preference to a girl from San Francisco, who had befriend him for one purpose—to help her father and another millionaire take his money away from him. Towards the end, however, the hero establishes himself in the estimation of the spectator when he marries the heroine, even though it was after she had proved to him that she was right when she told him not to have any confidence in the millionaires.

Milton Sills does well in the part. Doris Kenyon is good as the heroine. Arthur Stone, too, does good work as one of the hero's pals. Lawford Davidson, Stuart Holmes, appear in the cast.

Mr. Charles Brabin has directed the picture well.

"Soft Living"—with Madge Bellamy and John Mack Brown*(Fox, Feb. 5; 5,629 ft.; 65 to 80 min.)*

Not big, but pleasing. It is a comedy-drama, with mild laughs all the way through. The interest is kept fairly tense.

It is the story of a good young girl, clerk to a famous divorce lawyer, who, seeing how a famous divorcee, friend of hers, makes a soft living by marrying wealthy persons and then divorcing them, decides to do the same thing herself. She meets accidentally a young man (hero) and is attracted by him. The young man is attracted by her, too, and, after establishing a friendship with her, falls in love with her. Shortly before the marriage ceremony the hero overhears the heroine's friend telling her about her excellent chances of divorcing him and making a soft living out of the alimony that she would be collecting weekly. The hero is shocked because he thought that the heroine shared her friend's views. So he decides upon a plan to disillusion her. After the wedding ceremony, instead of taking her to Honolulu, as he had promised he would, he takes her to some distant woods to a lumber camp he owned, making her work, by cooking her own meals. But he soon finds out that she loved him truly.

The plot has been founded on a story by Grace Mack; it has been directed by James Tingle, from a scenario by Frances Agnew.

"Feel My Pulse"—with Bebe Daniels*(Paramount, Feb. 25; 5,889 ft.; 68 to 84 min)*

Not as good as some of the late pictures in which Bebe Daniels has appeared, but it is, nevertheless, a good comedy. Besides laughs, there are thrills. These are caused in the situation that shows Miss Daniels giving battle to the bootleggers by rolling whisky barrels down the stairway at them, her object being to rescue a young man, whom she loved, and whom the bootleggers were trying to get hold of so as to harm him, because they believed that he turned a squealer. The scenes that show the characters floating in the air as a result of chloroform the heroine had spilled are comical; this effect is attained by use of the slow motion camera work.

The story, which is by Keene Thompson and Nick Barrows, shows the heroine as having inherited from her uncle a sanitarium in a secluded island. She had been brought up in life to fear germs, being sterilized every time her attendant suspected the presence of a germ. She goes to the island to take charge of the sanitarium, which, unknown to her, had been taken charge of by bootleggers. There she meets the hero, a newspaper reporter that had joined the bootleggers in an effort to get a story. He

falls in love with her and she with him. The two have the time of their lives escaping from the clutches of the bootleggers, but help comes in the form of the police force.

The picture has been directed by Gregory La Cava, from a scenario by the authors themselves. Miss Daniels does good work. Richard Arlen is good as the hero. Melbourne MacDowell, George Irving, Charles Sellon, Heine Conklin and William Powell are in the cast.

"The Smart Set"—with William Haines*(Metro-Goldwyn, Feb. 25; 6,476 ft.; 75 to 92 min.)*

Not as good as the last two or three William Haines pictures but it is a good entertainment just the same. It is a comedy-drama, in which Mr. Haines is again presented as an arrogant, self-conceited young man, who meets a girl and becomes so persistent in paying his attention to her that she eventually learns to like him and to fall in love with him. Polo playing forms the background of the most important part of the picture, Mr. Haines being presented as being such an egotist that he is eventually disqualified. But he is also shown at the last minute being given a chance to play, winning the game, much to the joy of the heroine.

The scenes where he is shown saving a beautiful polo horse from the burning stables are thrilling. This situation wins some sympathy for him, particularly because he hides the fact that it was he that had saved the horse. The sympathy of the spectator is with him when he plays the winning polo game, because he had just previously shown as having realized what a fool he had made of himself.

Mr. Haines again does good work in the leading role. Alice Day is a charming little heroine. Jack Holt, as the Captain of the American Polo team, wins considerable sympathy with his manliness. Hobart Bosworth, Coy Watson, Jr., Constance Howard, Paul Nicholson, and Julia Swayne Gordon are in the cast. The story is by Byron Morgan. It has been directed by Jack Conway.

The showing of the defeat of the British team may not prove "palatable" to Britishers. If Metro-Goldwyn want to avoid hurting English sensibilities, it will so retile the prints that are going to England and to the British colonies as to show the British Team the winners.

"Square Crooks"—with Robert Armstrong, John Mack Brown, Dorothy Dwan and Dorothy Appleby*(Fox, March 4.)*

This is the story of two young crooks who went straight but who were hounded by a stupid detective, who wanted to make the world believe that he was a great detective. The chief element in it is suspense. This is caused in the situations where the two heroes are shown about to be entangled in a great trouble through no fault of their own. They were working for a wealthy man, who did not know that they had served time. The detective informs their employer of it and they are discharged. The night after their discharge, another crook had broken into the wealthy man's home and stolen a pearl necklace. Thinking that the police were on his trail, the crook hides the necklace in the bosom of the little boy, who happens to be the son of one of the two reformed crooks. The child takes the necklace upstairs and, while the detective, who went there to interrogate the two heroes, is talking to them, puts it into the pocket of his father. The father discovers it accidentally and is frightened. While the detective is in one of the rooms, searching for the necklace, the married crook makes every effort to hide it. He eventually succeeds in hiding it in the carpet sweeper. This causes great suspense, because the spectator fears all the time lest the detective find the jewel; if he had found it it would have been difficult, almost impossible, for the two heroes to prove their innocence.

More suspense is created when, after the detective had left, the two heroes find the crook into their apartment; he had gone there to recover the necklace. They catch him and bind him to a chair, but while they were out of the room, he succeeded in escaping with the help of the little child, who had cut the rope.

The story ends with the heroes proving their innocence and getting their old jobs back.

James P. Pudge is the author, Becky Gardiner the scenarist, and Lew Seiler the director.

"Four Sons"—with a Special Cast*(Fox Superspecial; to be released next Fall.)*

From the human interest point of view, "Four Sons" does not take a back seat to the other war pictures that have been released in the last four or five years. It presents the German side. A good thought, for it was about time that the Germans were shown as being as much human as other people. The picture is, in spots, heart-rendering. It could not be otherwise, for the loss of sons in a war is just as pathetic to a German mother as it is to any other mother. It is difficult to describe all the pathetic scenes, but one of the most pathetic is that which shows the son that had come to America and become an American citizen, meeting one of his brothers dying on the war front in France. The dying brother's cries of "Mucherin," which in German means "little mother," sends a thrill through one, and brings a tear in the eye. The sight of the mother bent down by grief, too, brings a tear or two. The ending is cheerful; it shows the one son, the American, surviving and the mother going to America to meet him. The scenes that show the mother detained at Ellis Island, but walking out of it at night time and wandering in the streets of New York City seeking her son are comical. The closing scenes, which show the son returning home and finding his child in the arms of his sleeping mother are extremely pathetic. There is much comedy in all those scenes, too. There is comedy also in the beginning, which shows the happy home of the German mother with her four young sons surrounding her.

One other thing that the picture shows is the arrogance of the German military men before the war, and the bad treatment the civilians used to receive in their hands. It should make even Germans boil, at least those that received bad treatment in the hands of the German officers. Earle Fox makes a true type of a Prussian officer.

The plot has been founded on the story by I. A. R. Wylie; it has been made into a picture intelligently by John Ford, from a scenario by Philip Klein. James Hall takes the part of the son that had immigrated to America. Francis X. Bushman, Jr., George Meeker, and Charles Morton take the part of the other sons. Margaret Mann is superb as the mother. Albert Gran is a comical character as the letter carrier. The atmosphere is realistic all the way through.

"Marry the Girl"—with Barbara Bedford and Robert Ellis*(Sterling, March 1; 5,300 ft.; 61 to 75 min.)*

This story is rather unusual. It starts showing the heroine with her child going to an old man and telling him that she is the wife of his supposedly dead son. As the son had been disinherited by the father for a supposed forgery, the old man accepts her. From this point on the spectator's interest is intrigued; he has a desire to know what the outcome will be, particularly since the old man's secretary, who is the real forger, plots to marry the girl so that he might get the old man's fortune. Soon the son appears and the spectator's interest is intrigued more, because he is desirous to know how things will turn out, since the son, who had kept in the background by not letting his father know that he is back, disclaimed to the family butler that the heroine was his wife, stating that he had never seen the girl before.

There is much human interest all the way through, caused by the child, whom the old man learns to love. Freddie Fredericks, who takes the part of the child, is so lovable that he endears himself to the spectator just as much as he endears himself to the hero's father. There is a pretty good fight, too, between Robert Ellis, who takes the part of the hero, and Allan Roscoe, who takes the part of the villainous secretary. The story ends with the marriage of hero and heroine; the young hero did not want to break his father's heart again and married the heroine so that his father might have the child, whom he had become very fond of. Moreover, he had fallen in deep love with the heroine. In the development of the theme, it comes to light that the secretary had induced the heroine to pose as the old man's dead son; he had made her believe that she should do it to make the old man happy. The heroine expiates her innocent deception by exposing the hoax to the old man herself.

The picture has been directed skillfully by Phil Rosen. Barbara Bedford does good work as the heroine, and Robert Ellis as the hero. Florence Turner, Paul Weigel and De Witt Jennings are among the players of the supporting cast.

"Surrender"—with Mary Philbin and Ivan Mosjukine*(Univ.—Jewel, March 4; 8,248 ft.; 95 to 103 min.)*

This is purely a Jewish picture, but there is so much human interest in it that it should please also persons of other races and religions. It brings forward two things, that human nature is frail and that neither racial prejudices nor religious teachings can form a barrier to true love. The frailty of human nature is demonstrated in the scenes where the Russian armies are shown as having invaded Galicia. The commander, a prince, enraged because the heroine would not submit to him, decides to burn to death every one of the inhabitants unless she went to him at an appointed hour. Seeing her people boarded in their homes, which were made ready to be set fire to, and hearing the cries of the children, the heroine reluctantly decides to go to the Prince so as to save them. The Prince does not harm her because he loves her. Her people, however, turn against her and throw stones at her when they thought that she loved the Prince; because of the fact that the daughter of a Rabbi loved a Christian. The fact that neither race nor religion can form a barrier to love is shown when the heroine decides to marry the Prince, whom she loved. Some of the scenes are deeply pathetic. One of such scenes is where the heroine's father is shown expiring and forgiving his daughter.

The customs of the Jewish people are educational and interesting. Miss Philbin does artistic work as the daughter of the Rabbi. Ivan Mosjukine, as the Prince, does good work. His part is unsympathetic in the beginning, but turns sympathetic toward the end. Nigel de Brullier makes a real Rabbi; his acting is so good that he wins warm sympathy. The plot has been founded on the story "Lea Lyon," by Alexandre Brody; it has been directed by Edward Sloman, from a scenario by Charles Kenyon.

THEY FORGET THE PUBLIC

S. G. Howell, Editor of Motion Picture Journal, of Dallas, Texas, in an editorial entitled, "Brookhart Bill Bad Business," tries to prove that the affiliated exhibitors and the producer-distributors, who are opposed to the Brookhart Bill, represent 75% or 80% of the entire investment in the motion picture industry, in studios, exchanges and theatres, expressing an opinion that it is bad business to make those that have the most money invested suffer, as would be the case if the Brookhart Bill should become a law.

I don't know how accurate Mr. Howell is when he says that the producer represents 75% or 80% of the money that is invested in this business; personally I think he is wrong.

But let us assume that he is right. He seems to forget the public, for if the Brookhart Bill is a good bill and will correct the abuses that are practiced against the exhibitor, who represents the public, then it is a good bill irrespective of whether the producers represent the biggest part of the investment or the exhibitors.

THERE IS NO REDRESS FOR THIS

"Warners Top Off Big Year of Money Pictures Weeks Ahead of Schedule," says a caption in a trade paper.

This is only half of the truth. Let these trade papers tell you how fast Warners have been grinding them out. A prominent exhibitor, working for a big circuit, called me up on the telephone and told me: "Harrison, what can we do to get relief? We bought the Warner Bros.' product on good faith, expecting them to spend on each picture an amount of money sufficient to make it possible for the directors to make good pictures, and to exert their best efforts toward making quality pictures. But we have been disappointed; it is evident that they are grinding them out in ten days or two weeks at the most, evidently to save money. How can they expect to make good pictures in such circumstances?"

I am not in a position to say whether Warner Bros. are grinding their pictures out in ten days or two weeks, because I don't know; but if one is to judge by the quality of the pictures that have been showing for several weeks, I cannot help getting the impression that they are grinding them out like sausages.

The unfortunate part about the matter is, however, that you cannot get any redress.

invited. With fifteen, that is half, of the entire number of exhibitors present opposing the Bill, it would be easy to pass the resolution.

That is the kind of fixing Pettijohn does right along; he is a "Fixer," and he prides himself in being one. And he will "fix" Mr. Hays, too, if he will be near him long enough. What do you think of a man, supposedly working for the interests of Mr. Hays, taking the floor and telling a committee composed of intelligent men that Mr. Hays has not read the Brookhart Bill and has not discussed it with him, Pettijohn. This makes one assume that Mr. Hays is either ignorant or incompetent. It would have been just as logical for Pettijohn to have said that Mr. Kent, Mr. Zukor, Mr. Fox, or other prominent persons in the industry, have not read the Brookhart Bill, as to say that Mr. Hays has not read it.

* * *

Mr. Arthur wrote a long letter to Senator Brookhart about the details of the meeting. Part of that letter reads as follows:

There were probably thirty or forty exhibitors of Iowa present at the meeting when Mr. Pettijohn was called in to address same. His principal talk being against the Senate Bill 1667, of which you are the author. Among these exhibitors present before his address were quite a number who were for the bill, but after Mr. Pettijohn had told his sob story about what the bill would do to them if it passed, how it was government control, etc., he sold a great many of them on it. It could be plainly seen that at the meeting which was held Sunday, he had secured the cooperation of Mr. Smith, Mr. Eddy and others and immediately Mr. Smith proposed that a resolution be passed condemning the bill. Objection was made to this by several of those present as they stated they had not had sufficient time to give the bill the proper thought. However, the resolution was passed with everyone but myself voting for same. I was the only vote in the meeting for it (Bill 1667).

I had quite a heated argument with Mr. Pettijohn during the meeting and was ruled out of order several times. In fact the entire situation is simply this, that the exhibitors are a plaything in the hands of the producers and distributors. They cry "Help," but won't even help themselves. Mr. Pettijohn very generously offered to help the organization secure memberships, which means financing by having the salesmen of each exchange go out and sell memberships when they were selling films to the exhibitors. I objected to this, telling Mr. Pettijohn that the further the exhibitors kept away from the producers and distributors the better they were off. But the motion was carried, nevertheless, so these same salesmen who are scouring Iowa from all Exchanges are putting out the propaganda against Bill 1667.

I do not think there are exhibitors in Iowa against the Brookhart Bill, but I do think that Mr. Pettijohn got his work in with those present on Sunday, sold them the idea, and put the resolution through in that way. The exhibitors are largely to blame for not having guts enough to fight for their rights. I, for one, would rather have government control than control of that bunch who sit in New York and dictate the policy of film distributing . . .

* * *

I shall ask you not to judge Mr. Smith harshly. We don't know how much pressure Pettijohn has applied on him to make him reverse himself. It is possible also that, after hearing Pettijohn, he did change his mind. If the latter assumption is correct, neither Mr. Smith nor any other "conscientious exhibitor objector" can any longer oppose the Bill, for Senator Brookhart said that if he can be convinced that Section 7, which empowers the Federal Trade Commission to fix the differentials, is objectionable to the independent theatre owners, he will be only too glad to have that section removed. For my part, I would just as well see the courts determine when a producer has violated the law as I would the Federal Trade Commission.

I have written to Mr. Smith calling his attention to Mr. Brookhart's assurance so that in case he changed his mind because he honestly believed that Section 7 of the Bill would work against the interests of the exhibitors, he may again change his mind and work for it. There is nothing wrong in changing one's mind.

THE CASE OF C. E. WILLIAMS OF NEBRASKA

C. E. Williams, President of M. P. T. O. of Nebraska, was at the hearing, having made common cause with the Hays forces.

He spoke against the Bill on Thursday, and made a sorry sight of himself; instead of telling the committee how injurious the Brookhart Bill would, in his opinion, be to the interests of the independent exhibitors, he emphasized how injurious it would be to the interests of the producers and distributors.

On Friday morning, Pettijohn told the Committee that he would have presented Mr. Williams in rebuttal, but he could not so by reason of the fact that Mr. Williams, having received word that his theatre burned down, left for home early in the morning. In the afternoon, when our forces were returning, they saw Williams in company with Mr. Hawkins, and John Gentile, of the Hays

organization and Arthur James, of *Motion Picture Today*, en route to New York. It was evident that Williams had been in Washington all morning.

In connection with C. E. Williams' conduct, let me print a letter that I have received from a Nebraska exhibitor, whose name I suppress for obvious reasons:

"Mr. Williams has been on the road selling film for Pathe during the last year and at present is selling some statelight pictures owned by a certain exchange manager of this city. To my information the M. P. T. O. receives a certain percentage of the film rentals so sold by Williams. Through his office (M. P. T. O.), a local Newsreel is booked when produced.

"I cannot see how C. E. Williams, being a member of the Board of Arbitration, can represent the exhibitors and at the same time be an employe of a producer-distributor. This, I believe, accounts for his being opposed to the Brookhart Bill.

"Williams is, at present, in Washington to oppose the Brookhart Bill. Who sent him there, no one seems to know. According to Mrs. Williams, he left Omaha on short notice, possibly called by the Hays organization.

"If Williams claims he carries out the wishes of the majority of the exhibitors of Nebraska and Western Iowa when he opposes the Brookhart Bill, he does so without any authority, because no meeting was called to ascertain the sentiment of the members.

"Who pays the bill? Our local organization has no funds and it is alleged that Williams is not flush with money either. So who pays the bill?"

* * *

This exhibitor has raised a serious question, one that bothered me for a long time. Can an exhibitor organization president appoint arbitrators when he is also a distributor?

In my opinion, he cannot. And any one who is summoned before a board appointed by such a man can go to a court and secure an injunction forbidding it to function on the grounds that it is improperly constituted. This goes also for Dick Biechle, and for the President of any other exhibitor organization that has so openly sided with the producers. The arbitrators are supposed to be unbiased so that they may render a just award. When such arbitrators are appointed by a man who is biased, they are brought under the category of "biased" arbitrators, because it is natural that he who appoints them sees to it that he appoints persons that will carry out his wishes, which, in the case of Williams and Dick Biechle, are the wishes also of the Hays organization. On such grounds you can, in my opinion, prevent them from functioning through the courts.

I fear that even the awards that have been rendered by arbitrators appointed by these two men may be vacated by court action on these grounds. At any rate, you have the right to challenge any arbitrator appointed by these two presidents, who had so openly espoused the cause of the producer-distributors.

BLASTED REPUTATIONS

The Brookhart Bill, even before it became a law, has proved of great benefit to the cause of the independent exhibitors, because it has served to separate the goat from the sheep. It is a Bill that has proved that those who are not with us are against us.

In connection with this, let me reprint what David Barrist, of the *Philadelphia Exhibitor*, says in the March 1 issue:

Leaders

Whatever other effect upon the trade that the Brookhart Bill may exercise, it will help to smoke out those who are masquerading as leaders of the exhibitors, but who are in reality anything but friendly or sympathetic to their best interests.

The bitter partisanship created by this measure is dividing the industry into two camps: the exhibitors affiliated with, or friendly to, the producers on the one side and the exhibitors who are really independent on the other. Regardless of the merits of the bill pro and con, there are entirely too many "leaders" whose only service to their exhibitor constituents is a lip service. These so-called leaders are usually without any theatre holdings or are so affiliated that their primary interest is to serve the producers and not the theatre owners whom they are elected or chosen to represent.

It is these "leaders" who are responsible for much of the suspicion that attaches to the motives of the film men. They deceive no one. Everybody knows that if they are not actually in the employ of interests friendly to the film men, that their connections are such that they cannot really represent those exhibitors whose interests they are supposed to serve. When the producers learn to eliminate these useless officials and deal with the exhibitors direct, as merchant to consumer, they will disarm much of the suspicion that now hovers over their relations with the theatremen and will more easily reach an understanding with them.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions	12.00
Canada and Mexico..	12.00
England and New Zealand	14.50
Other Foreign Countries	16.50
25c. a Copy	

1440 BROADWAY

New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial Columns, if It is to Benefit the Exhibitor.

Published Weekly by

P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:

Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, MARCH 17, 1928

No. 11

THE SAPIRO MOVEMENT

The co-operative exhibitor movement that was proposed by Aaron Sapiro in this city some time ago has become a reality. On Friday, March 9, a large number of exhibitors signed up a contract with him, authorizing him to buy film for them.

The Sapiro co-operative buying movement was unavoidable after the shortsightedness the producer-distributors have shown; they turned a deaf ear to all suggestions for constructive reforms. For years they have "kidded" the exhibitors with promises, which they never kept. They brought Mr. Hays into this industry. But he, too, proved a "fizzle," so far as the exhibitors are concerned. He lulled them with his fine speeches of confidence and co-operation. He loaded them with slogans. It took them six years to find out that he did not mean what he said, or, at least, he did not have the power to carry out his promises even if he did mean them. And the worst of it, instead of admitting that he had no power to do anything for them, he tried to get control of their organizations, national and state, so that he might stifle any voice of protest that might be heard against the unbearable conditions.

But the day of awakening has at last arrived. It was inevitable. The exhibitors could not keep on year in and year out allowing themselves to be fooled by unkept promises. Hence the successful start of the Sapiro co-operative buying movement.

The exhibitors that have so far joined it are elated. I have never, in fact, seen a more enthusiastic body of men as are those that have signed an agreement with Mr. Sapiro. Aaron Sapiro is a national figure and every one of them has full confidence in him. And that is where the success of the movement will lie. And if it should be successful here, as it is predicted that it will, it will spread all over the country like fire.

Of course, this organization does not intend to slash film prices. In fact, most of the members have shown a willingness to pay more for film if they get what they want and as early as the affiliated circuits. But this paper hopes that, after this movement is well under way, Mr. Sapiro will look into the cost of production for the purpose of finding out why one man should be getting eight thousand dollars a week salary, as is the case with Louis B. Mayer, production head of M-G-M. This adds eight thousand dollars to the cost of every feature put out by that organization.

In the case of Paramount, it has become known that Mr. Sidney R. Kent receives \$100,000 a year salary. He deserves it. But he also receives 5% of the profits before any dividends are paid. It is also said that Messrs. Zukor and Lasky receive \$400,000 a year salary each, and 7% of the profits, each. Using the figures of last year's Para-

mount earnings as a basis, which were \$8,000,000, we find that Messrs. Kent, Zukor and Lasky, in addition to their salaries, which amount to \$900,000, received \$2,375,000. When the two items are added, we find that these three men received \$3,275,000. This means that the seventy pictures Paramount makes as an average each year are burdened each with \$46,785 for the salaries and the profits of these three men. And we are not counting other satellites, such as Messrs. Ludwig, Wainger, Eugene Zukor, Ralph Cohen and others, who, too, receive high salaries. Any wonder that the pictures cost too much nowadays?

These are a few of the things that this paper hopes the Sapiro Co-operative movement will correct.

AGAIN ABOUT WILLIAMS OF NEBRASKA

I fear that, by writing too much about C. E. Williams, President of M. P. T. O. of Nebraska, we are giving him prominence he in no way deserves. But I have made it my policy to be fair even to those who are unfair to you.

In last week's article, "The Case of Williams of Nebraska," in informing you that Williams, having been seen in company with the Hays forces on the train en route to New York at three o'clock in the afternoon when according to Pettijohn's statement before the Senate Committee he had already left early that morning for home as a result of his having received word that his theatre had burned down. I assumed, without stating so in print, that he, Williams, had known all along that some damage by fire had been caused to his theatre, but that he pretended he did not know of it until after he delivered his speech before the Senate Committee, which speech favored the producers; and that Pettijohn's statement to the committee that he had left for Omaha early in the morning was a mere excuse, the truth of the matter in my opinion being that he, Pettijohn, feared to present him again to the committee lest he make as sorry a sight of himself as he made the day before. I even telegraphed to Omaha and received advices back that his theatre had been damaged by fire the previous Sunday, and that it would be repaired and made ready for opening on the eighth of March.

I have now found out, the information having been given to me by unimpeachable authority, that Williams did not know up to Thursday afternoon that there was a fire in his theatre. The telegram from his wife had been received by Pettijohn, who

(Continued on last page)

"Ladies' Night in a Turkish Bath"—with Dorothy Mackaill and Jack Mulhall

(First National, April 1; 6,592 ft.; 76 to 94 min.)

This picture should make a big hit, for the reason that, besides having two well-known players in the principal parts, it is comical in the extreme. It is also human. The situations, for example, that show the young hero meeting the young heroine and falling in love with her, and later becoming jealous and having a fight with her because she had gone out with another man, are true to life. The comedy occurs chiefly in the Turkish Bath House, where the hero and the father of his sweetheart (heroine) had found themselves in escaping from a cabaret that had been raided; their efforts to avoid being seen by the women that were taking a Turkish bath, it being a ladies' night, should bring roars of laughter. In those scenes the spectator should be made also to hold his breath for fear lest the pair be discovered. These scenes are of the same order as the scenes in the Universal picture, "What Happened to Jones," which was produced in the 1925-26 season, with Reginald Denny in the leading role. Miss Mackaill and Mr. Mulhall are a good pair of actors and they do excellent work. James Finlayson, as "Pa" Slocum, reminds one of Chester Conklin; he is as funny as Mr. Conklin. Sylvia Ashton, as "Ma" Slocum, does good work, too. Harvey Clark, Reed Howes, "Big Boy" Guinn Williams and others are in the supporting cast.

The plot has been founded on the play by Charlton Andrews and Avery Hapgood; it has been directed with skill by Edward Kline.

When you play it, advertise it as a special; you will not mislead your public by so doing, for it contains values of a "Special" attraction.

"Dressed to Kill"—with Edmund Lowe and Mary Astor

(Fox, March 18)

A high-class crook melodrama, in which suspense is tense, and in which the interest is maintained strong from the beginning to the end. The suspense is caused by the sight of the hero being placed in danger of getting caught by the police. The most suspenseful situations are those that show the hold-up of the fur store and the waiting of the gangsters to deal death to the hero and to the heroine—to the heroine, because they thought she was a squealer, and to the hero because he had, contrary to their understanding, befriended a woman that threatened to prove their undoing. Another suspenseful situation is that which shows the hero being trapped by the gangsters after his first escape from them. The gangsters were in an automobile with guns in hand and the hero was emerging from the heroine's apartment with the heroine, whom he loved, his purpose being to help her escape. He succeeds in helping her escape but he himself is shot and killed by his former pals.

The plot has been founded on a story by William Conselman; it has been directed by Irving Cummings, from a scenario by Howard Eastabrook. Mr. Lowe does excellent work as the silk-hatted hero. Mary Astor does well as the heroine. Ben Bard, R. O. Pennell, Robert Perry, Joe Brown, Tom Dugan, John Kelly and Robert E. O'Connor are in the cast:—

The heroine, a young beautiful woman, attempts to sell a purse, supposedly stolen by her. The hero, a silk-hatted crook, the master mind of a gang of crooks, is attracted by her beauty, and invites her into the cabaret in which he met his gang. His gang protest for his taking in a strange woman, considering this act of his dangerous. The hero vouches for her. He fits her up in an apartment and plans the robbery of a fur store in which she was to take a prominent part. The heroine weakens just as the crooks were, after a successful carrying out of the details of the plan by the hero's men, about to take the valuable furs away; she tells the proprietress that she could not go through with it and that her store was being robbed. The proprietress screams to frighten the crooks away. When hero and heroine arrive at the heroine's apartment, the hero is furious and informs her of the fate that awaited her as a squealer. She assures him that she was not a squealer, and in proof of it she pulls out of

her bosom a newspaper clipping showing that her fiancé was in jail for a supposed theft of bonds, and that she was sought as a suspect. The hero is moved by the courage that had been shown by the heroine, who had decided to save her fiancé even by getting "in" with crooks, and asks her what he could do to help her. She then asks him to recover for her the bonds that her fiancé was supposed to have stolen. After making sure that she told him the truth, the hero commands her to wait for him there. He then goes to the bank and takes the bonds out of his safe deposit box and takes them to her. The hero's confederates, however, had preceded him; they went to the apartment, their intention being to take the heroine away and deal with her as they had dealt with squealers right along. When the hero enters he, too, is held up at the point of a gun and is informed that the same fate awaited him. The hero outwits the gangsters by taking hold of a gun that he had put in a cigarette box; he holds them up. But shortly afterwards the gangsters again trap the hero and the heroine; it happened in front of the heroine's apartment. The hero manages to send the heroine away, but he is shot and killed by the gangsters. The police, however, arrest all the gangsters. Thus the hero atoned for his past by dying for the woman he had loved, but whom he could not marry because she was in love with some one else.

"The Secret Hour"—with Pola Negri

(Paramount, Feb. 11; 7,194 ft.; 83 to 102 min.)

A human story, well told, this being the result of good direction and acting. It has also the advantage of being real and not artificial. It is, for example, natural for a girl that is drudging to wish to get out of her environment and find some good husband, even though she may find him in the country, so long as she is sure that she will spend her life happy. That is what is the desire of the heroine in this picture. Accordingly, when she receives a letter from an orange grower to go to him if she wanted to marry him, she gladly goes. The orange grower happens to be a middle-aged illiterate Italian. Fearing lest the heroine would turn his marriage proposal down because of the fact that he was an old man, he puts into his letter the photograph of a young friend of his (hero). The heroine is furious when she reaches the country town and learns of the supposed deception. And she blames the hero for it. But he is young and nice looking and, despite her efforts to hate him, she discovers that she loves him. He loves her, too, despite her unjust accusations of him. In a moment of forgetfulness, they go to the town parson and get married. The following day they regret their hasty step and decide to withhold the news from the farmer, who was lying in bed with two broken legs as a result of an automobile accident that happened to him while on his way to the station to receive the heroine, until he became well. The farmer is happy and falls desperately in love with the heroine. This makes it harder for them to tell him about the marriage. At last the farmer gets well, and because he decides no longer to postpone their marriage but asks her to marry him that very day, the heroine is compelled to tell him the truth. This breaks the heart of the farmer. But he is reconciled to it and begs them not to go away but to stay with him so that he might act as a grandfather to their coming child.

Every act, every movement of the farmer, of the hero and of the heroine is logical; it is what would have happened in real life under similar circumstances. It is in human nature for young folk to seek to mate themselves with young folk, and the act of the heroine in falling in love with and marrying the hero when she had promised to marry the old farmer is not blameworthy; one understands and forgives. The joy of the farmer at his good fortune in having found the heroine for a wife is real. And so is his disappointment when he is told by the heroine that she and his friend had married. The guilt felt by the hero for having deceived his friend, too, is real.

The plot has been founded on a story by Mr. Rowland V. Lee, the well-known director, who also directed it. His directorial work is of first order. Jean Hersholt, that fine old actor, in the role of an Italian farmer, gives further proof of his acting ability. Miss Negri does the best work of her screen career. Kenneth Thompson is good as the young hero.

**"The Count of Ten"—with Charles Ray,
Jobyna Ralston, James Gleason and
Arthur Lake**

(*Universal-Jewel, July 1; 6,779 ft.; 78 to 96 min.*)

Unquestionably, this is one of the best pugilistic pictures that have ever been produced, for two reasons: first, because the story is strongly dramatic; and secondly, because the fight scenes are technically correct, Mr. Ray acting as if he were an expert in the fistic art. While none of the situations will bring tears to the eyes, several of them will bring a gulp to the throat. So human is it. One cannot help feeling sympathy for the hero who loves his wife so much that he lets her spend every cent he makes in dressing in the best of clothes and in maintaining a stylish home. The incident of the brother who forged a check for five thousand dollars and went to the sister seeking aid to keep out of prison, and of the hero who, having been made by the young brother to believe that she wanted the money for the baby that was on the way, goes into the ring with a broken hand, determined to win the fight and so to earn the money for her, are human in the extreme. And they are true to life. The incident in the stadium, where the hero's former manager takes the towel away from the hero's young brother-in-law and throws it into the ring to put an end to the murderous punishment the hero was receiving, the young man having refused to do so, hoping that the hero might deliver a winning blow and thus earn the money that would keep him out of jail, also is human in the extreme; although he was no longer the hero's manager because of a disagreement with the hero, nevertheless he bore no malice and took the proper step to save the hero from punishment. The scene toward the end where the former manager and friend, risking punishment at the hands of the heart-broken hero, goes and forces him to listen to him telling him the truth about the use to which the heroine wanted to put the five thousand dollars, also is human. There are other human scenes.

The plot has been founded on a story by Charles Ray himself; it has been directed creditably by James Flood. Charles Ray does the best work in his screen career. Miss Ralston does good work, too; so does Arthur Lake, as well as James Gleason, who takes the part of the manager.

Although this has been sold as a regular program picture, no exhibitor can go wrong in handling it as a special. It deserves to be handled as a special.

**"The Tragedy of Youth"—with Patsy Ruth
Miller, William Collier, Jr., and
Warner Baxter**

(*Tiffany-Stahl, March 25; 6,362 ft.; 74 to 90 min.*)

This is a gem, literally and figuratively. It is so true to life that one feels as if seeing a life occurrence. It is the story of two young folks who marry. A short time afterwards, however, the husband becomes so neglectful of his wife that she is thrown in the way of another man, with the result that they are divorced. Most of the sympathy goes to Miss Miller, who takes the part of the young wife, for even though she is shown as having fallen in love with one of her husband's friends, one realizes that the fault was of her husband's; he had driven her to it. There are many situations where one's emotions are stirred, the strongest of them being where the heroine, after sending the friend of her husband away telling him that it is better that they never see each other again, goes to her mother and gives her father a severe scolding for howling at her mother. Her reprimand brings her father to his senses; he kneels down and begs his wife's forgiveness. The love scenes between the heroine and the friend of her husband's have been done very well; no "dirt" is shown or even implied.

The picture is in seven reels. But the story really ends with the sixth reel, the last scene showing the husband's friend in a steamboat going away, heart-broken, but full of determination to spare the heroine, whom he loved with all his heart, of regrets. The seventh reel introduces some melodramatic scenes, by showing the boiler of the ship as exploding, with the hero supposedly having drowned, after giving his lifebelt to a newly married man, telling him that he (the married man) had something to live for whereas he had not. Later the young husband-hero is shown revealing a despicable character, with the result that the heroine, who had done everything to prove

her loyalty to him, leaves him; she goes to the wharf, where the survivors had been brought in, to find out whether the man whom she had sent away but whom she still loved really perished or survived by some miracle. She finds him and rushes up to him, telling him that she will never again leave him. The following scenes imply that the heroine had divorced her husband and married the friend. This all is unnecessary, first because it offends the sensibilities of millions of people who do not believe in divorce; secondly, because it makes the young husband a despicable character after the spectator felt like forgiving him; and thirdly, because it is an anticlimax. Nothing will be lost if the seventh reel is cut out, and much will be gained. Even if the exchange were not to take the seventh reel out, you may end the picture with the six reel and you will not spoil the continuity in the least.

The plot has been founded on a story by the well known scenarist, Albert Shelby Le Vano, who has many a good screen story to his credit. It has been directed by George Archinbaud with intelligence, from a continuity by Olga Printzlau. Miss Patsy Ruth Miller has never done better work in her screen career. Willie Collier, Jr., does well as the "caddish" husband. Warner Baxter is excellent as the husband's friend. Claire McDowell is very good as the heroine's mother. Harvey Clark, as the howling husband, is excellent.

It should give one hundred per cent satisfaction everywhere, particularly if the seventh reel were eliminated.

**"Alex the Great"—with Richard "Skeets"
Gallagher and Patricia Avery**

(*F. B. O., Feb. 11; 5,872 ft.; 68 to 84 min.*)

A good comedy-romance of the program grade.

The comedy is caused by the acting of Mr Gallagher, who takes the part of a young Vermont farmer that had gone to New York to make a fortune, and who succeeds, even though his only assets were his gall and his audacity. All the way through it is shown that his braggadory helps him, not only to get where he wants, but also to win as a wife the daughter of a wealthy man. The scenes where he is shown bursting into the heroine's father's office and, instead of coming out of it with two black eyes, coming out with an order for a large number of tractors, which nearly made his brother-in-law faint, are comedy provoking. Comedy provoking are also the scenes that show him winning the heroine away from an aspirant for her hand, a society man. There are other comedy-scenes all the way through.

The plot has been founded on an original story by H. C. Witwer; it has been directed by Dudley Murphy. Albert Conti, Patricia Avery, Ruth Dwyer and Charles Byer are in the cast.

**"Skinner's Big Idea"—with Bryant
Washburn and Ethel Terry Grey**

(*F. B. O., May 11; 5,967 ft.; 69 to 85 min.*)

A very tame affair as compared with "Skinner's Dress Suit." There is not much to the story, and there are very few laughs, if any. The idea the hero has in mind, as indicated by the title, is his introducing a new system in the office of the firm, of which he was a junior member. The two senior members, before leaving for their vacation, instruct the hero to discharge three old faithful employees on the ground that they were too old. The hero, however, instead of discharging them, instructs them to have themselves tailored in the latest style and barbered so that they might look young. He also orders them to do more playing and less work. Accordingly, they join a golf club. It is while playing golf with a buyer from out of town that they are able to close a big deal with him, much to the surprise of the senior members of the firm, who had just returned from their vacation. When they see that the hero's system had brought results, they allow him to have his way about it.

There is, of course, also a woman in the case, she being the wife of the hero; and another, a chorus girl, with whom the son of one of the senior members of the firm falls in love.

The story is by Henry Irving Dodge; it has been directed by Lynn Shores, from a continuity by Matt Taylor. William Orland, Jas. Bradbury, Sr., Robert Dudley, Ole M. Ness, Chas. Wellsley, Martha Sleeper and Hugh Trevor are in the cast.

withheld it, with the permission of his, Williams' wife, to whom he spoke over the long distance telephone, and did not deliver it to him until after he, Williams, had his dinner Thursday evening. Pettijohn feared lest the bad news make it impossible for Williams to deliver as strong a denunciation of the Brookhart Bill as he would deliver with the sad news in his possession.

But the fact that he was unaware of the fire does not make his offense lighter. He allowed himself to become the tool of the producers to the injury of your interests. In Washington he was under the complete domination of Pettijohn. In the committee room he sat with the producers; he was ostracized by the independent exhibitors. I myself refused to go near him.

The matter would have differed if he were a "conscientious objector." There is nothing wrong in differing with others on any question, no matter how much the others should like to have you agree with them. It is perfectly honorable. But in the case of Williams it is altogether different. If he were sincere, he would not have traveled with Pettijohn and the other Hayes representatives. He would have come to our camp, determined to bring us to his way of thinking. But he was ashamed to face us.

That he is not sincere about his convictions on the Brookhart Bill may be deduced from the fact that he has not called a meeting in Nebraska to ask the other independent exhibitors, members of his organization, whether they are for or against the bill.

Williams has proved himself unfaithful to the unaffiliated exhibitor cause.

Up to last July C. E. Williams, according to reliable information, was on and off a salesman for Pathe. He was a film salesman even while he was President of M. P. T. O. of Nebraska. He sells film right now, as that exhibitor letter, which was printed last week, stated.

To the exhibitors of Nebraska and of that part of Iowa that is attached to the Omaha zone I will say this: Do not pay dues to the M. P. T. O. of Nebraska or to any other exhibitor organization, the president of which has failed to call a meeting to ascertain the sentiment of the members towards the Brookhart Bill; remember that every dollar you pay to such an organization is used against you. Do not buy pictures from C. E. Williams or from any other exhibitor organization president or other executive just because he is the president or the executive of an exhibitors' organization, even if a percentage of the receipts goes to the organization; buy them on the merits of the films themselves. In other words, if the pictures he sells are good and are suitable for your needs, buy them; if they are not, offer fifty cents a reel for them. Don't furnish to those who are antagonistic to your interests ammunition to annihilate you with.

I hope that it shall not be necessary for me again to refer to this person; this space is too valuable to waste it on him. But take steps to depose him as well as any other president that has acted as he has; you cannot afford to let such men appoint your arbitrators.

SHOW THIS TO THE M-G-M SALESMEN

"The Student Prince," with Norma Sheerer; "The Texas Steer," with Will Rogers, and the John Emerson and Anita Loos Paramount picture "Gentlemen Prefer Blondes" were shown at the Loew grind houses in this city one day each.

This is an admission on the part of the Loew organization that business is poor. And don't forget to call the M-G-M film salesman's attention to it when he comes around to sell you film.

IN THE INTEREST OF TRUTH

Under date of February 29, Jimmy Grainger, General Sales Manager of Fox Film Corporation, has written me as follows:

"Dear Pete:

"I telephoned you today but learned that you were out of the city. (Editor's note: I was in Washington, D. C., that day, attending the hearing on the Brookhart Bill.)

"In your article under the heading, 'FLOPS AND HITS,' printed in the issue of March 3rd, you say that 'SUNRISE' has been given a forced run in this city.

"If you will come to my office, I will gladly show you what 'SUNRISE' has done at the Times Square Theatre in this city and in every other city where it has played. To say that it has been given a forced run is a wrong statement and is not fair to the picture, and I am certain you are the first man who would wish to correct any error that may work an injustice.

"I am certain you will agree with me that the Times Square Theatre is not the best location for a motion picture on Broadway (Editor's note: It is on 42nd Street) and we consider that we have done exceptionally well.

"The picture is a hit in Detroit and is doing exceptional business.

"I want you to see these figures and tell your readers about it, as I am certain you do not want to cause an injustice to this corporation or to any other.

"At the Fox Terminal Theatre, in Newark, the 'SUNRISE' grossed over \$20,000 in one week. The average receipts for this house are from \$6,000 to \$8,000.

"At Philadelphia, the picture has run six weeks at the Locust Theatre to phenomenal business, playing twice daily.

"I would appreciate it if you would communicate with me on Saturday."

* * *

Desiring to be fair to every one who has a grievance against this paper because of something that has been printed about him, I naturally called on Mr. Grainger. He showed me the receipts for the twenty-five weeks of the engagement at the Times Square Theatre, in confidence, and I can say that, while it did not make any profits, and may show a small loss, yet it has shown good strength when one takes into consideration the prevailing business depression.

In Newark the picture did exceptionally well.

In Detroit it did better than "Seventh Heaven" in the first three weeks, but showed considerable weakness the fourth week.

HARRISON'S REPORTS

Yearly Subscription Rates:
United States.....\$10.00
U. S. Insular Posses-
sions 12.00
Canada and Mexico... 12.00
England and New
Zealand 14.50
Other Foreign Coun-
tries 16.50
25c. a Copy

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1909

Tel.: Pennsylvania 7649

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, MARCH, 24, 1928

No. 12

THE ANACORTES CASE

Most of you remember, I am sure, the decision of the Seattle arbitration board in the case which Warner Bros. brought against Mr. Waldo Ives, of Empress Theatre, Anacortes, Washington, demanding that Mr. Ives play or pay for certain pictures, Mr. Ives refusing to accept them on the ground that they were not what he had contracted for. The arbitration board rendered an award releasing Mr. Ives from the obligation of playing those pictures. This matter was treated in the issue of December 31, 1927.

Following that decision, Warner Bros. applied to a board constituted of different arbitrators from those that first tried the case and succeeded in inducing them to reopen it, despite the protest of Mr. Hone, secretary of M. P. T. O. of Washington, and of Mr. Ives himself. Another board tried it and rendered a decision unfavorable to Mr. Ives, finding that the pictures were delivered in accordance with the contract, even though such pictures were different from those described in the Annual Campaign Book.

Under date of February 4, Mr. Ives wrote me partly as follows:

"The case came up January 31 and Warner Bros. were represented by an attorney named Hazen. Their main contention was that the board of arbitration had the right to make awards only on the face of the contract, and that the pictures were delivered according to the contract. Mr. Hone handled the case in good style and I was surprised beyond expression that the decision was against us. I believe I am right in saying that also Hazen was surprised. . . . If you can suggest a way to get a rehearing or grounds to take the case into court I will appreciate your advice. . . ."

Under date of February 21, Mr. J. M. Hone wrote me partly as follows:

"You no doubt were surprised over the action of the arbitration board in granting a rehearing and reversing the decision of the former board. This, however, does not end the matter, as I am satisfied that the board that granted the rehearing, also the one that reversed the decision, had no jurisdiction over the former board's award, as I am unable to find any rules governing a rehearing of a case where a board of arbitration has determined its findings and made a final award. I will greatly appreciate your sending me such information. . . ."

Because of the importance of this case to every exhibitor, I am giving you the information that I gave to Mr. Ives as well as to Mr. Hone, so that those of you who may find yourselves in a similar predicament and do not know the arbitration procedure in such matters may know how to protect your interests.

An arbitrated case cannot be reopened, even by the board that tried it, let alone by another board, unless, of course, both parties agree to the reopening of it. Where one of the parties flatly refuses to consent to a reopening, then only a court can vacate the award.

"CAHILL'S CONSOLIDATED LAWS OF NEW YORK, 1926," states the following:

"Motion to vacate Award: In either of the following cases, the court specified in the submission must make an order vacating an award upon the application of either party to the submission. (1) Where the award was procured by corruption, fraud, or other means. (2) Where there was evident partiality or corruption in the arbitrators, or either of them. (3) Where the arbitrators were guilty of misconduct in refusing to postpone the hearing

upon sufficient cause shown, or in refusing to hear evidence pertinent and material to the controversy; or in any other misbehavior by which the rights of any party have been prejudiced. (4) Where the arbitrators exceeded their powers, or so imperfectly executed them that a mutual, final and definite award upon the subject matter submitted was not made."

Notice that "new evidence" is not one of the grounds given for the vacating of an award by the court. I am emphasizing this because very often exchanges that lose a case succeed in having it reopened on the ground of new evidence. When a board reopens a case without the consent of both parties, it exceeds its authority.

* * *

Let us now take up the Warner Bros.' attorney's contention that a board must make an award guided only by what is in the contract. The following is what I wrote to Mr. Hone:

"The Supreme Court for the Southern District of New York City, in the case of **EQUITABLE TRUST COMPANY vs. THE CONTINENTAL INSURANCE COMPANY**, et al., decided that a company is responsible for the statements made either by its salesmen or in literature put out by them. Accordingly, Warner Bros. must deliver the pictures in accordance with the description given of them in their campaign book or other literature. Otherwise, they cannot force an exhibitor to accept them. The fact that the contract does not describe the pictures makes no difference; it is a trade practice to describe them not in the contract but in separate pieces of literature."

Mr. Ives has secured an injunction restraining the execution of the award, on the ground that the second board had no authority to reopen the case. According to a telegram to this office from Mr. Hone, the case will be heard in the district court in Seattle, on March 27.

* * *

The attitude of this publication towards the present arbitration system is too well known. While I believe that the principle of arbitration is admirable, the way it is applied in the motion picture industry is a mockery of that principle. The arbitration boards have been set up to try, not every exhibitor, but only the unaffiliated exhibitors. In the years that arbitration has been functioning in this industry, with 30,000 cases brought, I doubt if there have been ten cases against affiliated exhibitors. To my knowledge there has not been even a single case against the affiliated exhibitors in this zone—not one. From this you can see for yourself that the arbitration system has been set up to prosecute only the unaffiliated exhibitors.

How can an arbitration board render just awards when its machinery is controlled by the Hays organization? How can the arbitrators render an award in accordance to equity and justice, when half the board consists of representatives of companies whose interests are so closely interwoven, and when the other half consists of men who in most cases are appointed by friends of the producers? Let us, for example, take the Kansas & Western Missouri territory: Biechele, the president of the exhibitors' organization there, has told Mr. Hays that he prefers to "ride along with him." He has also accepted aid from the exchanges to build up his organization: film salesmen, when they call on the exhibitors to sell them film, solicit also

(Continued on last page)

"Bringing Up Father"—with Special Cast*(Metro-Goldwyn, March 17; 6,344 ft.; 73 to 90 min.)*

A very good comedy. It seems as if "The Callahans and the Murphys" has taught Metro-Goldwyn-Mayer a lesson, for they have avoided letting the characters do anything that would prove offensive to the Irish. It is not a comedy of the high-class order; it is low, but it is inoffensive. There are continuous laughs all the way through, these being created by the situations, by the subtitles, and by the acting, mostly by the acting. And in this, Polly Moran holds the prize.

It is the story of two Irish families, which are closely related; they are of the "friendly enemies" sort, the two mothers constantly carrying on a warfare. The daughter of one of the families (the newly-made rich) falls in love with a young nobleman and the mother is so proud that she constantly reminds her sister-in-law of it, galling her. The two husbands, who are brothers, are friendly, not taking part in the warfare of the two wives.

The plot is supposed to have been founded on the drawings by George McManus, the famous cartoonist. It has been directed by Jack Conway. J. Farrell McDonald, Jules Cowles, Polly Moran, Marie Dressler, Gertrude Olmstead and others appear in the cast.

It should satisfy almost everywhere, in the theatres that cater to the working element in particular.

"Mad Hour"—with Sally O'Neil and Larry Kent*(First National, March 4; 6,625 ft.; 77 to 94 ft.)*

This picture has been founded on a story by Elinor Glynn. The first two reels are jazz doings, the young heroine being shown acting as if she didn't care what the world would say. The remainder of the picture is so appealing that it is doubtful if there will be a dry eye in any house, whether it caters to the high-brows or to the low-brows. In those scenes the heroine is shown as a pathetic figure; she marries the wealthy man, but through her kind-heartedness she becomes the victim of some crooks, who used her in an attempt to get a reward for jewels they had stolen. She is shown as arrested, tried and convicted, her husband abandoning her to her fate, bowing to his father's will. She gives birth to a child in prison.

The sympathy for her becomes warmer, and the compassion tenderer, when she, while in jail, is tricked into signing papers whereby the lawyer of her father-in-law is enabled, not only to obtain a divorce for the young hero, but also to snatch her baby away from her.

Toward the closing scenes the sympathy becomes still warmer for her. She is shown going to her husband after leaving jail at the end of her term; there she finds her husband marrying another woman. The scenes where she is shown meeting her child and grabbing it, the lawyer ordering the nurse to let her have it so as to avoid a scene until the wedding ceremony had been performed, are the most pathetic of them all. They tear one's heart out.

It is doubtful if the end will satisfy the American picture-goers. The heroine, after she is told that it is better for her baby to grow up without the knowledge that his mother had served a term in jail for theft, is shown entering her ex-husband's car, which had been made ready for the newlyweds, and driving away, eventually running over a bank, wrecking the car and killing herself. It is not the reward that should have been given her after her many sacrifices. Though innocent, she was sent to jail, lost her husband, saw her child taken away from her, and then finally she is made to lose her own life, whereas the guilty persons are not shown suffering the consequences of their acts. It is not justice, and the spectator will leave the theatre dissatisfied.

But, though the majority of picture-goers will "kick" at the heartless ending, it is doubtful if any of them will stay away from it just because of the unpleasant ending.

Miss Glynn's "Man and the Moment" has suggested the plot. Joseph C. Boyle has directed the picture. Lowell Sherman and Alice White appear in the cast. Larry Kent is good as the hero. Sally O'Neill does the best work in her screen career.

"Spoilers of the West"—with Colonel Tim McCoy*(Metro-Goldwyn-Mayer, Dec. 10; 4,784 ft.; 55 to 68 min.)*

A good program picture! It is a frontier drama of historical interest, the action taking place in Wyoming about 1866, when General Sherman with the help of Custer was trying to get the Indians to sign the Laramie Treaty, in return for which the Indians were to have their lands back, which the trappers and settlers were to vacate. A love story is interwoven and many thrills are caused by the expert and daring riding of Colonel McCoy, by his battles with the escaping trapper prisoners, who refused to move peacefully, and also by the saving of the lives of the soldiers and of the Indians by preventing further hostilities.

The hero (Col. McCoy), a Cavalry Lieutenant in the U. S. Army, because of his knowledge of the Indian language and customs, is given the job of forcing the trappers to leave the Indian lands within thirty days so that a treaty of peace might be signed. The heroine (Marjorie Daw), who runs an illegal fur-trading settlement, at first is hostile to the Lieutenant. Her brother (William Fairbanks), who also fights the lieutenant, is made his prisoner, but through the treachery of the heroine, who lures the hero away from the prisoner's tent to her home, he escapes. He gathers the trappers of the settlement and continues to give battle. The heroine is ready to shoot the hero but because she had fallen in love with him on account of his bravery, she cannot go through with it. Her brother, hiding in a tree, shoots him when he comes on the morning of the final day, but the heroine nurses him back to health in time for him to save the day by reaching the firing line before sunset with the trappers as prisoners, who finally decided to leave their camp peacefully. After peace is declared hero and heroine are united.

The picture was directed by W. S. Van Dyke from an original story by John Thomas Neville, scenarized by Madeline Ruthven and Rose B. Willis.

"The Heart of a Follies Girl"—with Billie Dove*(First National, Mar. 18; 5,957 ft.; 69 to 85 min.)*

If Larry Kent had acted half as well as Miss Dove acts, "The Heart of a Follies Girl" would have been a knock-out. Unfortunately, Mr. Kent walks through the picture. He is colorless and in dramatic moments he merely poses. But the picture should satisfy, just the same, because the story material is good, it has been directed well, and Miss Dove does as good a piece of acting as she has ever done.

It is the story of a chorus girl, who falls in love with a young boy, not yet out of his "teens." He had become acquainted with her when his employer, who loved her, had sent him to take her out to dinner because of an accident he had had, which had made it impossible for him to take her to dinner himself. He is so struck by her beauty that he falls madly in love with her. But because he feared lest he lose her, he conceals from her the fact that he was only a poor secretary. The heroine tells him how she dreaded poverty. The hero, in order to "dazzle" her, forges his employer's name to a check and with the money he buys her an expensive ring. But his forgery soon becomes known and his employer prosecutes him and sends him to jail. Her pleas on his behalf were of no avail. Her love for him, however, is so strong, that she marries him and vows to wait for him. On a New Year's eve, before the expiration of his sentence, he breaks jail, reaches the heroine and begs her to go away with him to some other land. But the heroine, unwilling to see themselves hunted all their lives, prevails on him to go back.

The story has been written by Adela Rogers St. John. It has been directed by John Francis Dillon well. Lowell Sherman, Clarissa Selwyn, and Mildred Harris appear in the cast. Lowell Sherman is the heavy.

It should give satisfaction.

"A Woman's Way"—with Margaret Livingston, Warner Baxter and Armand Kaliz

(Columbia, Feb. 18; 5,472 ft.; 63 to 78 min.)

A fairly entertaining program picture. The interest is maintained pretty well all the way through. Here and there the suspense is a little tenser. There is hardly any comedy relief.

The action unfolds in Paris, and revolves around a Parisian beauty, who danced and sang in a cafe in the underworld, but who aspired to become a dancer in the opera. A young American falls in love with her. A man, who is shown as being friendly with the heroine to the extent that he would call on her at any time of the night and enter her apartment unannounced (but no intimate relations are shown or even implied between them), steals a valuable necklace, and, as he is chased by the police, goes to the cafe where the heroine had been working, hands her the jewel, and tells her to keep it for him. The police find him but are unable to arrest him for lack of evidence. The heroine, while she is taken home by the hero, drops the jewel case in the taxi. The hero later finds it and returns it to the heroine just after the police, who had traced the thief in the heroine's apartment, had left. But the police had not left; they had surrounded the house. They eventually arrest the thief. He is sent to Devil's Island, but escapes, returns to Paris and sends for the heroine so that she might bring him the jewel. He is trailed by the police, who had followed the heroine, and is shot and killed by them just as he was about to shoot and kill the hero, who had followed the heroine there. Hero and heroine marry.

Izola Forrester wrote the story, and Edmund Mortimer directed it.

"The Night Flyer"—with William Boyd and Jobyna Ralston

(Pathe-DeMille, Feb. 5; 5,954 ft.; 69 to 85 min.)

A pretty good program picture. It is a railroad melodrama, in which the outstanding situation is that which shows the wreck of a train, in which the hero was acting as a temporary fireman. After the wreck he grabs another train and takes the mail to its destination in record time, thus earning the right to run an express train and winning the hand of the heroine. There is some heart interest here and there and some comedy. Most of the action revolves around two rivals for the hand of a girl; they are the hero and the villain. The action unfolds in the days of jerk-water railroads, as the engines used indicate. Rivalry among the Western railroads for the contract to carry the United States mail is the foundation of the plot.

The plot has been founded on "Held for Orders," by Frank Hamilton Spearman; it has been directed by Walter Lang, from an adaptation and continuity by Walter Woods. Philo McCullough, Ann Schaeffer, DeWitt Jennings and others are in the cast.

"So This Is Love"—with Shirley Mason, William Collier, Jr. and Johnnie Walker

(Columbia, Feb. 6; 5,611 ft.; 65 to 80 min.)

A very good pugilistic picture of the program grade. There is suspense in it all the way through, and some comedy. The comedy is in the prize fight scenes where the hero is shown meeting the champion and knocking him out. The heroine, who had learned to love the hero, feeds the champion with the best food her delicatessen store carried. She also gives him milk and pickles. This she did just before the two had met in the ring, her purpose being to make it possible for the hero to knock the champion out. The hero, who was a dress designer by profession, was very timid. Once he received a good beating from the champion. This made him very timid. The champion knew this, and tried to take advantage of it. Hence his carelessness, which made him break the rules laid down by his manager, who had been starving him so that he might be in shape for the fight.

Miss Mason does well as the heroine, and William Collier, Jr., as the hero. Johnnie Walker does well, too, as the champion.

The story is by Norman Springer; it has been directed by Frank Capra.

"Nameless Men"—with Antonio Moreno, Claire Windsor, Ray Hallor and Eddie Gribbon

(Tiffany-Stahl, March 25; 5,708 ft.; 66 to 81 min.)

This is a crook melodrama. The suspense in it is tense. The scenes where the hero is shown as having been found out by the crooks that he is a detective and is held up by them at the point of a gun and tied to a chair so that he might be unable to interfere with them while they made a desperate effort to get the money which one of them, a young crook, had hidden in the basement of the bank before he was caught when two years previously he and his confederates had robbed the bank, killing the watchman, hold the spectator in tense suspense. The scenes on the crooks' yacht, too, are suspenseful; the crooks are shown as having abducted the heroine, sister of the young crook, who was ignorant of the fact that her brother was a crook, the leader of them intending to take her along to force her to become his mistress. The spectator's interest is aroused in the very beginning and is kept alive until the end.

There are, of course, some technical errors. The heroine, for instance, is not endowed with enough intelligence to realize that her brother was a crook and to try to reform him. There are other such faults here and there.

The picture is not of the very cheerful sort; one hates to see so young a man as the heroine's brother (Ray Hallor), who looks anything but a crook, be a crook, even though he reforms in the end by the good example the hero had set for him: The hero, in trying to catch the crooks, was shot and, when the police arrived, he told them to be easy on the young man because it had been his help that had enabled him to shoot and kill the leader of the crooks.

The plot has been founded on the story by E. Norton Hough; it has been directed by Christy Cabanne.

"The Port of Missing Girls"—with Barbara Bedford and Malcolm McGregor

(Brenda-Regional, to be released in April; 7,279 ft.)

A good entertainment, and as the title attracts immediate attention those that will play it should attract good crowds. Although the story deals with girls that are swallowed up in a big city and fall into the hands of men of questionable character, it has been handled so delicately that it does not give offense. Of course, it is not a Sunday-School picture, the purpose of the author evidently being to show the dangers young girls run up against in big cities. The strongest sex situation is that which shows the hero and the heroine in an automobile out in a park loving and hugging each other, the implication being that they had a love union. That they had such a union is brought out more clearly later in the story. There is pathos in several of the situations, the most pathetic of them all being that which shows the father broadcasting over the radio an appeal for his missing daughter (heroine) to return home while the heroine was listening on the other end. The story and the screen play have been written by Howard Estabrook; it has been directed by Irving Cummings. The directorial work is first class. Miss Bedford makes an excellent heroine. Malcolm McGregor does well in his part, which, with the exception of the closing situations, is unsympathetic. Natalie Kingston, Hedda Hopper, George Irving, Wyndham Standing, Charles Gerard, Paul Nicholson, Edith Yorke, Rosemary Theby, Lotus Thompson and others are in the cast.

The story deals with a mother and a father who so neglect their children because of their club activities that the eldest daughter gets into "trouble." Ashamed to return home she is lured by the conductor of a supposed dancing school and is taken to a wealthy rounder, supposedly to give her a job at acting. But her sweetheart, a young bootlegger, who was the young man that had wronged her, accidentally discovers her and helps her parents snatch her from danger.

their membership for the Biechele organization. How can an arbitration board he selects, then, consist of impartial arbitrators when he and the entire board is under a compliment to the producers?

It is fortunate that Senator Brookhart, the greatest friend the exhibitors have ever had among the national legislators, has put his finger on the sore spot. I understand that one of the amendments he intends to make of the Brookhart Bill is to put an end to the Kangaroo Courts and to the Monkey Trials. He needs encouragement. Write him a letter and encourage him. Let him know that you, the unaffiliated exhibitors, whom the Senator has made up his mind to fight for, are back of him, despite the machinations of the Hays organization. Tell him that the UNADULTERATED unaffiliated exhibitors are back of him to a man!

P. S. Harrison

A LETTER FROM MR. CARL LAEMMLE

Murietta Hot Springs, California,
March 13, 1928

Mr. P. S. Harrison,
Harrison's Reports,
New York City.

Dear Mr. Harrison:

I wonder if you, as the mouthpiece and adviser of the exhibitors, can point out to them my position on Universal's newest picture, "We Americans." After this production had been sold to several thousand exhibitors, I discovered that by spending a large additional sum of money on it, I could turn it into a really great picture instead of just a good one. I spent the money, taking the chance that even though the exhibitors had bought it at a low price, they would be willing to pay more when they discovered that I had made something far better than they thought they had bought.

The picture is completed and it is greater than I can describe. I have asked exhibitors who have bought it to extend their playing time and, besides, play "We Americans" on a percentage basis, thus giving Universal a chance to get some real return on it.

If you think my position properly taken, will you pass the word along to your readers, asking them to give this special cooperation to a company which has never failed to cooperate with them?

With kindest regards, I remain

Sincerely yours,

CARL LAEMMLE,
President.

HARRISON'S REPORTS

New York, N. Y., March 19, 1928.

Mr. Carl Laemmle,
President Universal Pictures Corporation,
Murietta Hot Springs, Cal.

Dear Mr. Laemmle:

I beg leave to acknowledge receipt of your letter of March 13, by which you ask me to recommend to those of my subscribers that have bought "We Americans" from Universal at low prices to help your company get some additional revenue by either playing the picture on a percentage basis or by extending their playing time, so as to enable you to get back some of the additional money you have spent in the making of this picture.

In answer let me say that I regret that I cannot recommend to my subscribers to play the picture on a percentage basis, giving up the advantageous contract they now have. My policy all along has been against such a practice on the ground that, since pictures are sold on a "blind-booking" basis, the exhibitor is entitled to receive the occasional extra good picture on the terms of the contract just as he receives and pays for the extra-bad pictures.

But I could recommend that they extend their playing time, if the picture is as good as you say it is, because such a recommendation on my part will not harm their interests.

I hope to find time in the next few days to see the picture.

Very sincerely yours,
P. S. HARRISON.

E. P. SMITH OF IOWA

Just as I said in the issue of March 3, so it turned out to be; I have received information from several Iowa exhibitors to the effect that Mr. E. P. Smith was sincere in his efforts to allow the exhibitors at the convention to express their sentiment on the Brookhart Bill. Only that he was misled by the representatives of the producers. This is what one of them, Mr. Tom Arthur, of Mason City, wrote me:

"Smith is an 'awfully' nice fellow and wants to do what is right. I am positively satisfied in my own mind that he was fed up with Pettijohn's bunk and salve. . . ."

"The meeting down there opposing the Brookhart Bill was an awful joke, inasmuch as O. H. Jacobs, of the Palace Theatre, Burlington, and several others thought that before the resolution was passed they should give the matter further consideration. But with Pettijohn sitting there and delivering a smooth talk the motion was carried. I was the only one that voted 'No!'"

"In conclusion I will say I will do everything possible, if Mr. Smith calls on me, to help him with another meeting. . . ."

"Whenever I meet a brother exhibitor I am still talking for the Brookhart Bill and I find that the greater majority of them are more or less in favor of it regardless of the resolution."

I have written to Mr. Smith to call a meeting so that the Iowa exhibitors, now that Pettijohn is away and will be unable to influence them with his "sob" stuff, may express their true sentiments towards the bill. I have also suggested to him that he may, if he wants to avoid any misunderstandings, step aside during this convention and let either Mr. Tom Arthur or some other impartial exhibitor take the leading part. I am even willing to send out the call of the convention from this office, at my own expense, if Mr. Smith wishes to avoid giving any one cause for misinterpreting his actions.

T. O. C. C. HONORS SAPIRO

THEATRE OWNERS CHAMBER OF COMMERCE, of which body Mr. Sol Raives is president, is giving a dinner at the Hotel Ritz on April 16, in which Mr. Aaron Sapiro, President of INDEPENDENT MOTION PICTURE EXHIBITORS ASSOCIATION, Inc., will be the guest of honor.

Mr. William Brandt, former President of T. O. C. C., will be in charge of the arrangements.

The honor T. O. C. C. is doing to Mr. Sapiro is significant in view of the fact that this organization, as a body, is not connected with the Sapiro movement. And not all its members are also members of the new organization.

There is no question that this dinner will be of interest to every independent exhibitor through the land, for it is believed that the aims of the new organization will be made clearer at that time.

If you can spare the time to come, do come; there is no question that it will be worth your while.

If you should decide to come, telegraph to the offices of T. O. C. C., 910 Times Building, for reservations.

FAIRMONT THEATRE COMPANY

Fairmont, Minn., March 5, 1928.

Mr. P. S. Harrison, Editor,
Harrison's Reports,
New York.

I am glad to note in your current issue that you have taken notice of the abominable ad which Metro ran in the trade papers of January 21st. Laying aside all questions of individual belief in the wisdom of the prohibition legislation, the fact remains that intoxicating liquor is an outlaw in the United States, and all good citizens should obey the law. The plain inference of the advertisement is that the men in this industry are in the habit of violating one of our laws, which is an insult to a great many men engaged in the business, and a slap at the industry as a whole. It is hard to understand how anyone in the business could possess such utterly bad taste.

Yours very truly,
FAIRMONT THEATRE COMPANY,
By W. L. Nicholas.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions	12.00
Canada and Mexico..	12.00
England and New Zealand	14.50
Other Foreign Countries	16.50
25c. a Copy	

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, MARCH 31, 1928

No. 13

UNIVERSAL AND ITS ATTITUDE TOWARDS THE BROOKHART BILL

Mr. R. H. Cochrane, vice president of Universal, has sent to every exhibitor that has a contract for their Complete Service a circular letter stating that, if the Brookhart Bill becomes a law, Universal will be unable to sell them such service in that the Bill will make blind-booking unlawful.

Mr. P. J. Wood, Secretary of M. P. T. O. of Ohio, answers Mr. Cochrane adequately through a circular letter that he has sent to the members of the organization; it reads partly as follows:

"... I am amazed that Mr. Cochrane should have sent out such a letter in view of the fact that during the entire week of the hearing on the Brookhart Bill before the Interstate Commerce Commission of the Senate, he sat opposite Senator Brookhart and heard the latter state on numerous occasions that he would correct the Bill in any manner whatsoever so that it would not be unlawful for the distributors to sell pictures before they are made if the exhibitor desired to continue to buy them in this manner."

In another paragraph Mr. Wood comes to the conclusion that Mr. Cochrane, in sending out that circular, had in mind to frighten the small exhibitors, who use their Complete Service, into opposing the Brookhart Bill. He then closes the circular by urging every exhibitor to write to the members of the Senate Committee on Interstate Commerce, on their own letterheads, urging favorable action on the Bill. "Put everything else aside," Mr. Wood recommends, "and write the nineteen letters today," meaning a letter to each of the nineteen members of the committee.

* * *

The trouble with Mr. Cochrane seems to me to be that he has not yet realized that the Brookhart Bill will prove of greater benefit to Universal than to any other producer-distributor. The theatre-owning producer-distributors had so shut out Universal product that Universal was compelled, according to its own statements, to go into the theatre field to force them to buy its product, by threatening, it is assumed, to refuse to book their product in Universal theatres. And theatres are a costly venture, not only to Universal but to all the other producer-distributors, as my information proves.

Now, the Brookhart Bill, by placing pictures on a competitive basis, will make it impossible for the producer-distributors to keep on adding more theatres to their chains, thus closing the market for Universal and for other independent product, because a producer-controlled theatre will be unable to compete with the independent theatre man under the equal conditions the Brookhart Bill will create. Universal, then, will not find itself compelled to buy theatres in order to force the big chains to buy its product; a market will be created for its product. If Universal could see this, it would not be pulling the chestnuts out of the fire for the benefit of the producer-controlled circuits.

This paper desires to make it known that it is in full accord with Mr. P. J. Wood's recommendations. Write to each member of the Senate Committee on Interstate Commerce requesting immediate consideration for the Brookhart Bill. Do it now, not tomorrow. Use your own stationery for it.

The following are the names of the Senators:

James E. Watson, Chairman, Indiana; Frank R.

Gooding, Idaho; James Couzens, Michigan; Simeon D. Fess, Ohio; Robert B. Howell, Nebraska; Guy D. Goff, West Virginia; W. B. Pine, Oklahoma; Frederick M. Sackett, Kentucky; Joseph H. Metcalf, Rhode Island; Coleman Du Pont, Delaware; Ellison D. Smith, South Carolina; Key Pittman, Nevada; William Cabell Bruce, Maryland; C. C. Dill, Washington; Burton K. Wheeler, Montana; Earle B. Mayfield, Texas; Harry B. Hawes, Missouri; Hugo L. Black, Alabama, and Robert Wagner, New York.

Your attention is also called to the fact that Senators Wheeler and Welsh, of Montana, have been, according to my information, receiving many protests against the Bill. It is plainly evident that the opposition has been carrying on a desperate propaganda in Montana. For this reason it is necessary that the exhibitors of that state write to them at once, endorsing the Bill, and urging their friends to write to them also. The organization in that state, if there is any, has not, to my knowledge, yet taken any steps to support the Bill. For this reason it is absolutely necessary that the individual exhibitors take matters in their own hands.

DICK BIECHELE SHOULD ANSWER THIS QUESTION AT ONCE

Mrs. Maud Gandy, a widow, was handling the film that was taken to the offices of the board of censors for the two states, Kansas City, Kansas, and Kansas City, Missouri.

On December 2, 1927, the secretary of the Film Board notified Mrs. Gandy that her services were no longer required. The work is now being done by Dick Biechele's son, F. D. Biechele.

F. D. Biechele has, of course, the right to sell his services to anybody, irrespective of whether his father is or is not an exhibitor leader, and regardless of the fact that his father, because of his office, must appoint the exhibitor arbitrators; but we have, of course, the right to ask him if he, in the event he were not the son of the President of an exhibitors organization, could get that job! That is the question that has been bothering many exhibitors of that zone.

If the father has used his influence to get that job for his son, then how can he be impartial in appointing the arbitrators of his zone, as required by the arbitration rules, when he, in accepting such a favor from the Film Board of Trade, has placed himself under a compliment to those whose interests are not in harmony with the interests of those who have elected him to his office?

For his own sake, Dick Biechele must answer this question, particularly because the person that has lost that job is a woman, and a widow. If he cannot answer it satisfactorily, he should resign as President of M. P. T. O. of Kansas.

Charlestown, Ind., March 5, 1928.

Dear Mr. Harrison:

I have found your reports as amazingly accurate in defining all pictures, and have been guided very largely by your almost unerring judgment, all of which is an invaluable asset to the exhibitor, more especially to small town fellows. . . .

Sincerely and cordially,

(Signed) C. R. HAY.

**"Stop That Man"—with Arthur Lake,
Barbara Kent, Eddie Gribbon and
George Siegman**

(*Universal-Jewel, March 11; 5,389 ft.; 62 to 77 min.*)

Surprisingly good. It is a farce comedy, in which a good plot and good acting by the principals, chiefly by youthful Arthur Lake, contribute towards making it a very good entertainment. Most of the comedy is contributed by the young hero's desire to pose as a policeman; his two brothers were policemen and he dreamed hours at a time when he, too, would be a policeman, bravely arresting bad men. Most of the fun is caused when he, sent by his brother to take his suit to the tailor, puts it on and has his picture taken with it, just to show off to the heroine, whom he had just met. The brother waits in vain for his suit. There are thrills, too, these created by the young hero himself, who had accidentally trapped the thieves that had robbed a home into which he had innocently let them. The chase the hero gives the burglars and the burglars the hero, the satchel containing the stolen money, changing hands several times during the struggle, are not only comedy provoking but also thrilling. The highest point of comedy is reached when the young hero leads the two burglars to the police station, thus bringing about the exoneration of his brother, who had been held pending the investigation of the robbery in a house where his badge had been found; it is disclosed that the young hero had dropped the badge.

The love affair between young Lake and Barbara Kent is charming. Eddie Gribbon and all the other members of the supporting cast do good work. The story is by George Hobart. It has been directed with skill by Nat Ross.

**"Under the Tonto Rim"—with Richard
Arlen, Jack Luden and Mary Brian**

(*Paramount, Feb. 4; 5,911 ft.; 68 to 84 min.*)

A good western, in which thrills abound. It is a gold-mining melodrama, in which the thrills are caused by the efforts of the villains to rob the hero and other miners of their gold claims, and of the hero's successful efforts to foil their plans. There is considerable shooting, and some killings. The locale of the story is supposed to be Arizona, where in a place called "The Tonto Rim" gold is discovered and every rancher is made to turn to prospecting. Just like other western melodramas, this one, too, has its wicked villain, which in this case is impersonated by Harry Morey. The heroine's brother is put by him into a position where he thinks that it was he that had shot and killed the hero's father. The villain thus made the young man, who was the chief in the government claim office, a puppet in his hands, forcing him to alter the record so as to deprive the hero and the others of their claims. But the hero, who had been told by his father before his death that it was a man that was able to shuffle cards with one finger that had shot him, eventually succeeds in pinning the murder on the villain, thus helping the heroine's brother escape punishment he did not deserve.

The love affair between Richard Arlen and Mary Brian is well done. The story is by Zane Grey; it has been directed by Herman C. Raymaker, from a screen play by J. Walter Ruben. William Franey, Harry Todd, Bruce Gordon and Jack Byron are in the cast.

**"Turn Back the Hours"—with Myrna Loy,
Walter Pidgeon and Sam Hardy**

(*Gotham-Regional, March 15; 6,600 ft.; 76 to 94 min.*)

A fair program picture. It is the story of a hero, a petty officer in the United States Navy, who is demoted and expelled from the Navy for cowardice. He embarks as a stowaway in a ship sailing for the Caribbean. The ship is wrecked and he is washed ashore on a small island. The heroine, daughter of a planter, finds him and nurses him back to health. The island is infested with brigands. The leader covets the heroine and threatens to take her by force. The hero does not intervene and the heroine, realizing that he is a coward, upbraids him and then snubs him. The hero is shamed and goes away. He goes to the lair of the outlaws. There he learns that the heroine had been abducted and held captive. His love for her awakens his manhood. He rescues her, goes to her patio with her, and when they are surrounded by the brigand he takes the leadership in the defense, until a United States marine detachment from a battleship comes and rescues them. The officer in charge recognizes the

hero as his former pal. He takes him aboard the ship and has him restored to his grade for the bravery he had shown.

Some thrills are caused by the fight and by the arrival of the marines to the scene of the fight. The scenario is by Jack Jungmeyer. Howard Bretherton has directed it.

"A Modern Du Barry"—with Maria Corda

(*UFA—about 7,000 ft.; 81 to 100 min.*)

Mediocre! Not up to the UFA standard. It is one of those European mythical kingdom stories. The King of Andalia (hero) whose country is broke, goes to Corbett, a wealthy French capitalist who owns all the oil wells in his country, for a loan to supply his soldiers with food and living money. There he meets Toinette (Maria Corda—heroine) a good little girl that loved a scamp salesman, who had deserted her. She then becomes a mannequin, after at first attempting suicide and being rescued by a boulevardier, who places her in one of the smart theatres. She allows many men to support her in great style but Corbett, who had fallen madly in love with her, wants to marry her. But because she has fallen in love with the hero, who she thinks is a mere clerk, she refuses to do so even though she allows him to support her. At a banquet given in his honor, when he comes to Paris a second time for more money, she finds out who the hero is. But she loves him so much that she goes back to his country with him even though the financier refused to give him more money. The financier, wanting the heroine for himself, causes a revolution among the hero's subjects. But when he finds out that the heroine really loves the hero, he stops the rioting and allows them to marry and to have the kingdom for themselves.

Miss Corda doesn't mind being dressed and undressed in public, evidently liking to show off her rather plump figure. The wig she wears, however, does not add much to her appearance. The picture was directed by Alexander Korda, her husband.

**"Why Sailors Go Wrong"—with Sammy
Cohen, Ted McNamara, Sally Phipps
and Nick Stuart**

(*Fox, March 25; 5,112 ft.; 59 to 73 min.*)

An excellent farce-comedy. It is full of laughs from the beginning to the end. But the strongest laughs are caused, first, on board the yacht, where the two heroes, Sammy Cohen and Ted McNamara, find themselves divested of their clothes and using anything that comes along to hide their nudity with. These situations are not vulgar. The scenes where Sammy Cohen is shown wearing only a blouse and walking like a monkey in an effort to hide his bare legs are a scream. But the doings on the island, where the two heroes find themselves surrounded by wild animals, such as lions and monkeys, ought to make the spectators gasp for breath besides making them laugh screamingly. The scenes that show the pair climbing a tree in order to escape a ferocious lion, but finding themselves with a lion above, on the branch of the tree, should make many a spectator rise from his seat from fear that either the lion above or the one below would get them. There are numerous such situations all through in the part of the picture that unfolds on the island.

The story is by William Conselman and Frank O'Connor; it has been directed by Henry Lehrman, from a scenario by Randall H. Faye.

It should give one hundred per cent. satisfaction anywhere.

"Chinatown Charlie"—with Johnny Hines

(*First National, April 15; 6,374 ft.; 73 to 90 min.*)

This is a better comedy than any of those Mr. Hines has released in the last two or three years, for the reason that comedy and thrills are combined in it. The comedy is of the usual Hines sort, horse-play mostly. The thrills are caused by the abduction of the heroine in New York's Chinatown, where the hero takes sightseers, and by the hero's efforts to rescue her from their hands. The usual Chinatown background is used also in this picture. In addition, wax figures are introduced in the development of the plot, at one time the hero impersonating a wax figure to fool the crooks, succeeding.

The story is by Owen Davis. It has been directed by Charles Hines. Louise Lorraine is the heroine; she does well. Harry Gribbon, Scotter Lowry and Sojin are in the cast.

"Flying Romeos"—with Charles Murray and George Sidney

(First National, Feb. 26; 6,172 ft.; 71 to 88 min.)

The first half is rather slow, but the second half more than makes up for the first part's shortcomings. It is a farce comedy, in which the two heroes are shown, first as barbers, and later as "flyers." The comical scenes in the second half show the two heroes finding themselves in a flying aeroplane, the engine having been started accidentally by one of them when he pushed a lever with his elbow. Neither of them knew how to fly and, by strange coincidence, they perform evolutions that astound the experts that were watching them from the ground. Just as accidentally they land without a mishap. For this, they are acclaimed as the best aviators in America, and are invited to take part in aeroplane races that were to be held a few days afterwards. The scenes in the aeroplane are not only comical, but also thrilling. At times they make the spectators gasp for breath, just as they were made in "Safety Last" and in similar other pictures.

The picture has been directed by Mervyn LeRoy. Fritz Ridgway, Lester Barnard, Duke Martin, James Bradbury, Jr., and Bell Mitchell are in the cast. Messrs. Murray and Sidney make a good pair of comedians.

It should please everywhere.

"The Big City"—with Lon Chaney

(Metro-Goldwyn, Feb. 18; 6,838 ft.; 79 to 97 min.)

Intelligent people will laugh at it; picture-goers of the rank and file may get some enjoyment out of it. One thing that is in favor of it at least is the fact that it is not of the gruesome sort, as the last three or four Chaney pictures have been. It is a crook melodrama, in which suspense is supposed to predominate. The hero is, of course, presented as a clever underworld character, a man who is so clever that he is able to rob other robbers. To make it easy for him to carry on his robberies he had established a shop ostensibly to make clothes for the girls of his cabaret, putting it in charge of one of his confederates, a woman. The effect is spoiled, however, by the fact that logic is offended "terribly." For instance, a criminal such as the hero is presented to be could not have turned into a "good-goody" so easily, even if love was the cause of it. Mr. Chaney is made ridiculous by being made to reform, and to make his confederates to reform, too. Marceline Day is the cause of the reform; she takes the part of the innocent ingenue, who had been engaged by the hero's confederate to work in their shop, their purpose being to fool the police. But it was she that had eventually brought about their downfall, and eventually their reform; the detectives were able to get from her information they could not hope to get from one of the crooks.

The story was written and directed by Tod Browning. Betty Compson, James Murray, and others are in the cast.

"Something Always Happens"—with Esther Ralston and Neil Hamilton

(Paramount, March 24; 4,792 ft.; 55 to 68 min.)

This is one of those wild melodramas that one could not expect to find Miss Ralston in. Secret doors, dark rooms, shadows, fearful-looking hands with long fingers, ready to grab anyone by the throat, and mysterious happenings of all sorts make up the action. It comes out eventually that all was put on for the benefit of the heroine, who had been bored in the home of her fiancé in England, and had craved for excitement. But the heroine turns the tables on them when she, too, after learning of the innocent deception, puts on an act, while all are still in the lonely habitation, that frightens the "frighteners," by appearing as a walking ghost. But she and the others are eventually fooled when actual thieves, who were led by a Chinaman, who had trapped them in the lonely house. The Chinaman's desire was to get hold of the stone that years before had been stolen from a Buddha statue in a temple in China, which stone had been inherited by the hero, son of a British nobleman. The story ends with the arrest of the bad men and with the marriage of hero and heroine, the heroine showing a readiness to adjust herself to the surroundings in her husband's home.

The story is by Frank Tuttle, by whom it has also been directed. Sojin, Charles Sellon, Rosco Karns, Lawrence Grant and Mischa Auer are in the cast.

"The Garden of Eden"—with Corinne Griffith

(United Artists, Jan. 14; 7,558 ft.; 87 to 108 min.)

Good. It is a high-class light comedy, in which the situations as well as Miss Griffith's acting provoke the comedy. The chief doings are the heroine's impersonation of a noblewoman's daughter, whom the hero, son of a noble French family, the kind of families that must o. k. the girl before the son may be permitted to marry her, falls in love with her. The heroine was put into a position where she had to impersonate a baroness' daughter when her friend, with whom she had become acquainted at the hotel where she had been working as a wardrobe girl, took her to a high-class hotel in Monte Carlo and registered as a baroness "and daughter." At the close questioning of the heroine, her friend (the part taken by Louise Dresser) revealed the fact that she was a real baroness, impoverished by the war; she said she had her "fling" as herself for two weeks once a year, so that she might be reminded of her past glories. The hero, of course, eventually is told by the heroine that she was not a baroness' daughter, but that seems to have made no difference, for he married her, just the same, because he loved her.

The most dramatic situation is that which shows the hero's uncle, who had once attempted to assault the heroine while she was a wardrobe woman at the hotel, going to attend the wedding ceremony. The spectator naturally expects that he will give the heroine away; instead, he tells the hero that he could not have made a better choice for a wife.

The plot has been founded on a play by Rudolph Bernauer and Rudolph Osterricher. It has been directed by Lewis Milestone. Charles Ray takes the part of the hero well. Lowell Sherman, Maude George, Edward Martindel, Hank Mann and others are in the cast.

"Czar Ivan the Terrible"—with L. M. Leonidoff

(Amkino—about 8,500 ft.; 98 to 121 min.)

A tiresome long drawn out tale of one of the cruel czars of early Russia, Czar Ivan IV, of the 16th century, who was a religious fanatic and who loved to inflict inhuman torture on his subjects. It is not a picture for children and even the average American audience could not stand much of this gruesome and morbid picture. The little theatres who go in for "art" might enjoy its "primitiveness." There is not a cheerful scene throughout the whole picture and the drunken banquet scene is enough to sicken one as are the scenes of the terrible punishments, such as running spikes through peoples' hands, blinding them with hot irons, whipping them in filthy dungeons and even the Czar throwing scalding stew in the faces of his victims. The only characters that arouse sympathy in the spectator are Nikita (hero) who is a serf of Kurliatov, a bojar or landowner of the old aristocracy, and his betrothed Fima (heroine). Lupatov, a bojar of the new aristocracy, appeals to the Czar for the possession of the hero because he had an inventive mind and could repair such machinery as they had, but instead of granting his wish, the czar takes the hero and heroine to his palace so that he may fix the flax spinning wheel from which comes a great part of his wealth. Kurliatov of the old aristocracy is also brought to the palace and after being subjected to all kinds of insults, he falls into a bottomless cave in one of the dungeons and is killed. The Czarina, a very cruel woman, becomes infatuated with the hero, who had made wings that enabled him to fly. But because the fanatic Czar, being very superstitious, thought that this was an act of ungodliness and that the hero must be in league with Satan, he casts the hero into a dungeon where the Czarina makes love to him. She is betrayed by a former lover to her husband, who chokes her to death. The hero, too, falls into the bottomless cave in the dungeon, and is killed. The heroine is saved by her kinfolk, who help her to escape.

With all the killings and the ugly faces of most of the cast, the picture does not leave one in a pleasant frame of mind, though it does hold one's interest. The story is supposed to be historically correct. There are some very good snow scenes with the horse-drawn sleds plowing their way over the desolate land. But the acting is marvelous.

NOTE: The picture has drawn well at the Cameo, this city.

A PROTEST AGAINST THE CHICAGO CONTRACT FROM PITTSBURGH

Messrs. Nathan Friedberg and Anthony P. Jim, the two exhibitors that represented Western Pennsylvania at the Trade Practice Conference, have sent out a letter condemning the contract that has come out of the deliberations of exhibitors and producers in Chicago. The letter states:

"We . . . are anything but satisfied with the contract as adopted by the Contract Committee in Chicago . . .

" . . . In the event of a tie vote the Judge of the Supreme Court of the United States was to appoint the seventh man whose decision was to be final. But, to our surprise there was no need for a seventh arbitrator as Mr. Gabriel Hess, Attorney for the Hays Organization, was also admitted to all conferences to act as Secretary. And this without any consideration or recommendation of the Trade Practice Conference.

"Second, the Contract was to be forwarded to the Exhibitor Delegates who attended the Trade Practice Conference for their approval, recommendations or rejections, but to our surprise we have been ignored."

The letter continues condemning the fact that the proposal of Mr. Nathan Yamins, one of the exhibitor members of the Contract Committee, that the exhibitor members' vote as a unit was disregarded; and that they, as delegates, had not received a copy of the contract up to the date of writing that letter (March 17), even though producer-distributor members of the committee including C. C. Pettijohn had such copies with them in Washington during the hearing of the Brookhart Bill, which was on Monday, February 27. The letter closes as follows:

"The sentiment as expressed by the members of our Organization is that the only hope for an equitable contract and fair trade practices is through some action by the Government.

"In our judgment, the new contract is worse than the contract we are now working under."

* * *

I have not yet studied the contract and therefore am not in a position to say whether it is better or worse than the contract now in force. Personally I don't believe that anything worse could have been adopted; it could not be made worse unless the producers, with the help of the exhibitor contract committee members, so framed it as to give them the right to step into the exhibitor's box office any time and take his receipts away from him, or to take away from him even his theatre. I rather believe that the producers and distributors, in mortal fear of the Brookhart Bill, have given some concessions to you so as to weaken our chances of making the Brookhart Bill a law.

I am going to study it soon and report my findings to you; and if it is as bad as the Pittsburgh delegates say it is, then there is only one remedy—court action, to throw arbitration bag and baggage out of the window. It can be done, for as it now operates, it is, in the opinion of many lawyers, in restraint of trade.

LET THEM SAY WHERE THEY STAND!

The following letter has been sent by this office to Messrs. M. S. Lightman, President of M. P. T. O. of Arkansas; W. Z. Spearman, President of M. P. T. O. of Oklahoma, and Charles W. Picquet, President of the M. P. T. O. of North Carolina:

"To the best of my information you have not yet called a meeting of the members of your organization to give them a chance to say whether they are for or against the Brookhart Bill.

"Your failure to take action in this matter forces us to believe that you are doing so out of a motive to serve your personal interests to the injury of the interests of the members of your organization, and we will continue to think so unless you call a meeting at once or hold a referendum through the mails.

"As I said before in the columns of Harrison's Reports, you are entitled to have your own opinion of the Brookhart Bill, but you have no right to use your office to stifle the opinion of others.

"May I have a reply to this letter at your earliest convenience so that the exhibitors of the country may know what you intend to do in this matter?"

A DISPLAY OF UTTER LACK OF COMMON SENSE

In the last two or three years title writers have delighted in making the Prince of Wales the butt of their jokes.

While the jokes are of the good-natured sort, no thinking person will fail to realize that they are ill-conceived and in bad taste. These writers forget that the subject of their fun is the future ruler of Great Britain, and is not a person against whom every hack writer should direct jokes.

Even if good taste were to be left out of consideration, self-interest should make them refrain from indulging in such a pastime, for it is unlikely that the British nation will stand seeing its future ruler made so freely fun of; some of these days the industry will wake up to find greater restrictions placed on American films. Britishers have a sense of humor second to the citizens or subjects of no other nation; but they also know when a thing is overdone.

It would be very wise for American producers to put a ban on such fun-making.

LET FILM SALESMEN HAVE THEIR CHOICE!

"Sapiro 'Block-Buying' Peril Gives Film Salesmen Chills," and "Scores Reported Scheduled to Walk Plank Next Month," are the headlines on an article that appeared in The Morning Telegraph of March 21.

The article goes on to say that with the Sapiro Movement under foot, the chances of salesmen being thrown out of work are great and immediate.

This is the reward that those film salesmen that have opposed the Brookhart Bill will get. This paper pointed out to them that the Brookhart Bill will prove of immense benefit, not only to the exhibitors, but also to the exchangemen, in that, by placing pictures on a competitive basis, it will put salesmen of ability at a premium; and that, unless the Brookhart Bill becomes a law, their chances for retaining their jobs were nil.

It is not too late for the salesmen yet; they still can do good work among the exhibitors.

If you that will read this article are a salesman, make it a point to visit as many exhibitors as you can to urge them to support the Brookhart Bill. Induce them to exert every effort to induce as many of the voters of their towns as they can to write to their Senators and Congressmen in support of the Bill. Don't neglect doing everything you can to see this Bill become a law. It is between the Brookhart Bill as a law with a steady job for you, and the Brookhart Bill defeated with a loss of your job. Have your choice!

ROTHAFEL AND HIS EGOTISM

S. L. Rothafel, the well known impresario of Roxy Theatre, that Cathedral of Motion Pictures, gave an interview to the Daily Mirror of March 8. Among other things, the reporter stated the following:

"It is no secret that the Roxy pictures have been poor consistently. Roxy himself yesterday called them 'lousy' pictures."

It is plainly evident that Sam Rothafel has lost all sense of proportion. If he had not, he would not have made such a statement to the press, when thousands of exhibitors have bought and are playing the pictures he has called "lousy."

If he has any grievance against Fox, why take it out of the hide of innocent persons? On account of the fact that he has been a much publicized man, Rothafel's sayings are telegraphed all over the country. When he calls the pictures by such a name, therefore, he makes the public believe that all pictures nowadays are "lousy." You can very well, then, realize how much harm he has done to you by such an expression.

I hold no brief for William Fox, but there are a few persons in New York City that know what might have happened had Mr. Fox not stepped into the Roxy at the time he did.

The Roxy has not paid a cent in dividends on the original stock investment, and an inquiry into the situation might not be bereft of benefit to the stockholders.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions	12.00
Canada and Mexico..	12.00
England and New Zealand	14.50
Other Foreign Countries	16.50
25c. a Copy	

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It Is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, APRIL 7, 1928

No. 14

THE EVIL OF "PROTECTION"

The Cleveland exhibitors have decided to refrain from buying film next season until the matter of "protection" in that zone has been settled satisfactorily to them. At present the first-run theatres, with the exception of Keith's Palace, Keith's East 105th Street Theatre, and Reade's Hippodrome, get 56 days' protection over subsequent-run theatres.

The Cleveland exhibitors have touched upon a sore spot and should be highly commended by the exhibitors of every zone. "Protection" has been the curse in the motion picture industry. In fact, all its ills are owed to this one abuse. The executives of the affiliated theatres cannot conduct theatres on the grocery, restaurant, or drug-store chain system, because this is one business wherein individuality is one of the most important factors in its success. First, they are up against incompetence; secondly, they are up against dishonesty—in many cases, the employees band together and rob the box office; thirdly, they cannot conduct the theatres as economically as can the individual theatre owners. They are trying to offset all these defects by preventing other exhibitors from using a film immediately after they use it. The result is that they are killing not only the exhibiting business by preventing those that can serve the public well from serving it, but also the producing business by making it impossible for the producers-distributors from getting back their money fast and making better pictures economically.

Sam Katz has been the worst offender in the matter of "protection." Not satisfied with getting his film ahead of the others and of obtaining a fair clearance over his competitors, subsequent users of the same films, he has established a "protection" system all of his own, compelling the distributors other than Famous Players-Lasky to sign an agreement to that effect. On the strength of this agreement, he often gets protection from towns that are as far away from any of his theatres as forty miles.

It is hardly likely that Sam Katz, the man who started as an independent exhibitor and has turned out to be a ruthless, "cruel," heartless despot, the bane of the independent exhibitors, will be able to get away with this "murder" very much longer. The man who "bartered" away his future for gold, by becoming an employee of Adolph Zukor when he could have been the leader of this industry, thus retaining his independence, if he had but been satisfied with smaller profits, has done more to bring about this system of "protection" than any other person. But he will, no doubt, be amply repaid for it some day. The

Brookhart Bill is but the natural result of this ruthless policy of his. And if the Brookhart Bill will not put an end to this evil, other legislation is bound to be introduced, not only in Congress but in every State Legislature.

The Roxy, in this city, has only a fourteen-day protection over all other theatres of this zone; the Strand, only seven days. Even the Loew theatres have a short protection—seven days. But Sam Katz wants protection of months, and over towns that are miles away from his theatres.

If Sam Katz can't think right, what is the matter with Adolph Zukor? Can't he see that such a policy is so unfair to the public that legislation is bound to be resorted to? Can the public allow one person to say to them that they must not see the pictures in any other theatres except in those that are controlled by him? For, after all, that is what the Sam Katz kind of "protection" means.

SEND AN IMMEDIATE PROTEST TO WARNER BROS.

Warner Bros. are refusing to furnish me with the release numbers of their features. They assert that this information is private, and as such it belongs only to the company.

I have written them that, inasmuch as the release numbers are printed on the contract at the time they sell their pictures, it is not private information for the use only of the company; and inasmuch as you want this information, it is their duty to furnish it to me.

Although more than two weeks have passed, I haven't received the information.

There is, in my opinion, no reason for their refusing to give me the release numbers other than to make it possible for them to switch pictures without your knowledge. I can conceive of no other plausible reason.

When you read these lines, sit down without a moment's delay and send a protest to Mr. Albert Warner, 321 West 44th Street, New York City. Tell him what you think of their refusal to give me this information. I am trying to help you run your theatre profitably by furnishing you with the information you want. Warner Bros. are putting hardships in my way with no justification. I would have not asked them for this information were you not entitled to it. The release numbers of features are, since you buy them along with the titles, your property and Warner Bros. have no excuse for withholding them from your representative.

Next time a Warner Bros.' salesman steps into your theatre to solicit your business, ask him why his company refuses to furnish me with what you are rightfully entitled to. And if he knows no reason why his company refuses to furnish it, tell him to go back to find out and then come back to you.

Write a letter to Mr. Warner irrespective of whether you are or are not a Warner Bros.' customer. Lend your help to your fellow-exhibitors in this instance so that your fellow-exhibitors may render you their assistance in case you need it. Show solidarity! Make Warners say why they are refusing to co-operate with this paper in a matter in which they should co-operate.

"We Americans" with George Sidney, Patsy Ruth Miller, and George Lewis

(*Universal Special*, May 6; 8,700 ft.; 101 to 124 min.)

One thing that impresses one most is the naturalness of the action, particularly in the first half. It is true to life, for example, that the sons of immigrants that raise themselves above their environment by education and associations feel as a rule ashamed of their parents if they remained behind. The father and the mother of this picture's heroine, though they had been in America for several years, had not changed at all. In one scene the brother tried to smooth things over so as to avoid a scene between his sister and their father; but the heroine immediately shut him up when she asked him point blank if it was not true that both were ashamed to bring their friends into the house because of the fact that their parents were not well mannered. That scene is as true to life as anything could be. The action is made realistic by the excellent acting of Mr. Sidney. The scenes that show him returning from work tired and stretching himself upon the sofa and taking a nap, snoring, could not have been presented more realistically. There is deep human interest all the way through. There are some scenes in which it will be impossible for the spectator to surpress his emotions. One such scene is where the Jewish parents learn that their son has been killed in the war. Another is where a young neighbor is shown returning from the war with a leg missing. The love affair between the Christian boy, son of wealthy parents, society people, and the daughter of the Jewish hero is well done and arouses sympathy. The scene where the mother of the Christian boy tells the Hebrew that a marriage between their children is unthinkable, the boy intervening and saying to his mother that if it were not for his sweetheart's brother he would have never returned alive from the war, is full of heart interest, too.

All, however, is not pathos; there is considerable comedy throughout the picture.

The plot has been founded on the stage play by Milton Herbert Gropper and Mark Seigel. It has been directed with skill by Edward Sloman, under the supervision of Carl Laemmle, Jr. Al Cohn wrote the scenario.

Note: In my answer to Mr. Carl Laemmle, President of Universal Pictures Corporation, which was printed in the issue of March 24, I said that if "We Americans" proved to be a good box office attraction I would recommend to those who have bought it to extend the playing time if I should find it a good picture. In my opinion, it deserves extending the playing time. I believe that you could make more money by playing it the extra time than you would if you should play an ordinary picture. Those who have bought it for one day can safely play it two; those who have bought it for two days can safely play three or even four; those who have bought it for three days can play it four, and even five if circumstances warrant it.

"Stand and Deliver"—with Rod LaRocque, Lupe Velez and Warner Oland

(*Pathe-DeMille*, Feb. 19; 5,423 ft.; 63 to 77 min.)

Just fair. It is a melodrama, revolving around an Englishman, formerly an aviator in the world war, who so craves excitement that he goes to Greece and joins the Greek army with the determination of exterminating a band of outlaws that infested Greece. Most of the thrills occur when he and a girl he was trying to protect are captured by the brigands and taken to their lair; and later by his efforts to escape and also to rescue the girl from the brigand leader, who coveted her. The lair of the brigands is supposed to be a former monastery, perched upon an unapproachable rocky mountain, entry and egress to which could be had only by means of a basket, pulled up or lowered by a windlass, worked by a donkey. Weak-hearted picture-goers may feel dizzy when the "shots" that were taken from above are shown. There is a love affair, too, between the hero and the girl with whom he had been made a captive. The girl had told the arch-brigand that she was a wife to the hero. The hero reluctantly pretended to corroborate her statement so as to save her from unpleasant consequences. The story ends with the hero's falling in love with the girl, marrying her

and taking her along with him to London, but not until he had succeeded in having the brigands rounded up and arrested by the Greek army.

The plot has been founded on a story by Sada Owen. It has been directed by Donald Crisp. The title does not mean anything.

Note: The picture is supposed to represent modern Greece. But it is apparent that whoever is responsible for it, whether it is the author or the director, knows as much about Greece as I do about the North Pole. To begin with, the names given are not Greek. On top of this, the costumes employed are not Greek at all, let alone "modern" Greek. It is a clear misrepresentation, making a nation appear as a nest of brigands. If any number of your customers are of Greek nationality you had better not show it. Bring the matter before the board of arbitration, demanding that you be released from the obligation of playing it. The producers would not dare make a picture putting the Mexicans in a similar light; why should they do it to the Greeks? They could have just as well used a fictitious name and nothing would have been detracted from the picture.

"Red Hair" with Clara Bow

(*Paramount*, March 10; 6,331 ft.; 73 to 90 min.)

A good picture. It is nothing extraordinary, but it is of the cheerful sort. It is about the flirtations of a girl, who accepts presents from admirers, but who does not allow their attentions to go beyond offering her presents. There are many laughs all the way through, caused either by the situations, by the subtitles, or by Miss Bow's acting. The love affair between Miss Bow and Lawrence Grant is charming. Miss Bow wears pretty clothes and expensive jewelry. This ought to prove attractive to women customers.

The plot has been founded on a story by Elinor Glyn. It revolves around a red hair young manicurist, who accepts presents from wealthy admirers. She accidentally becomes acquainted with the hero. He falls in love with her and pursues her. The heroine, seeing no reason why she should not marry him, allows him to pursue her. An expensive fur coat gives away to the hero the fact that she accepted presents from people that had no right to make presents to her. These men happened to be the hero's three guardians. They have a conference and decide that the heroine is not the proper person for a wife to their protegee. The heroine, however, exposes the three sanctimonious guardians. The hero, realizing that the heroine's relations with his wealthy guardians was platonic, marries her.

There is "spice" in it, but not of the offensive sort.

"Matinee Idol"—with Bessie Love and Johnnie Walker

(*Columbia*, March 14; 5,807 ft.; 67 to 83 min.)

A good comedy-drama. Most of the comedy is of the burlesque sort. This occurs mostly in the scenes where the hero, a famous actor, while out in the country, accidentally finds himself employed by the heroine, who did not know that he was a famous actor, to act a small part in her traveling tent show. The crudeness with which dramatic productions were given in the country places in the old days has been faithfully reproduced; and it is a source of many laughs. Laughs are caused also in the performances given by the heroine's troupe on Broadway, New York City, where she went after being engaged by a New York producer; the producer hoped to make the New Yorkers laugh as they had never laughed before. And he succeeded. There is some pathos toward the end where it is shown that the heart of the heroine was broken when she saw the audience laugh when in her opinion they should feel sad; she was unaware of the fact that she had been "kidded" right along. The interest is maintained fairly tight from the beginning to the end.

The plot has been founded on a story by Robert Lord and Ernest Pagano. It has been directed by Frank Capra. Lionel Belmore, Ernest Hilliard, David Mir and others are in the cast.

"The Trail of '98"*(Metro-Goldwyn-Mayer Superspecial)*

There are in this picture four things that make it stand out: First, the snowslide; secondly, the long line of gold-seekers going over the Chilkoot Pass; thirdly, the riding of the rapids in frail improvised boats; and fourthly, the human torch.

In the first, it seems as if millions of tons of snow were set adrift by exploding tons, no doubt, of dynamite. The awesome effect is increased by the mechanical device of shifting the screen forward and of enlarging the picture, making the spectator think that the snowslide occurred near him. One does not know how it happens that the picture becomes of immense size; it all occurs so suddenly.

In the second, so great have been the numbers of people employed in it that one is impressed deeply with the sight of that human trail, all being impelled by a desire to find gold.

In the third, it seems as if those that rode the rapids did so at the actual risk of their lives, for the riding of these rapids is not faked, as is usually the case in dangerous undertakings in pictures; one can see fully the danger to the lives of those in the frail boats.

In the fourth, it is not known how a human being was set afire without actually being burned. The feat is decidedly new and makes one gasp for breath. The villain is supposed to have caught fire when the hero threw the kerosene lamp on him, the kerosene pouring over him when the lamp broke to pieces, the flame from the wick setting fire to his clothes.

There is one scene in it, however, that is very dramatic. This is where the hero's pal, after betraying him for gold, abandons the hero to freeze in the wilderness in his tent, with the blizzard blowing hard outside and with the cold forty degrees below zero. This man, after abandoning the hero to his fate, comes upon gold—almost tons of it. But because he had no matches to make a fire with which to warm himself up, his hands freeze and he is unable even to drop the gold nuggets he held in his hands. He dies, becoming the prey of the wolves. This situation conveys so great a moral that it is unlikely that it will escape being noticed. Another dramatic scene is that which shows one of two brothers returning with gold. These brothers had always fought together, and shared the hardships. But when the brother that had stayed behind acts as if he had a right to half the gold his brother had brought with him, the lucky brother repulses the unlucky brother. As a result, the latter shoots and kills the former. While the dead man is on the floor, the gold dust is seen pouring over him. The moral this situation conveys vividly is that gold often turns men into beasts.

The closing scenes show the hero, the heroine and their two friends back in San Francisco, rich and happy. But one of the friends is not satisfied to remain there, even though he had made enough money to take care of himself during the rest of his life. "It isn't the gold you want," he observes, "it is the fun of getting it!"

The story is by Robert W. Service. It has been directed by Clarence Brown. Ralph Forbes makes a good hero; Dolores Del Rio a good heroine; but Harry Carey, who takes the part of the villain, walks away with the acting honors. Tully Marshall and Karl Dane contribute considerable comedy. Emily Fitzroy, Russell Simpson, George Cooper, Cesare Cravina and others are in the supporting cast.

"The Sporting Age"—with Belle Bennett*(Columbia, March 2; 5,348 ft.; 62 to 76 min.)*

It has been produced well, but Miss Bennett's part is anything but sympathetic; though married, she is shown as having fallen in love with another man, her husband's young secretary. She is not shown as having done anything wrong; but one can hardly forgive a heroine for violating society's moral code, when no bona fide excuse exists. Her only excuse is her husband's indifference towards her. But her husband is not shown as having either become infatuated or fallen in love with another woman. This lack of sympathy for the heroine lasts almost to the very end. The young man arouses some sympathy

by his efforts to resist the heroine, out of the great esteem in which he held his employer (hero); but such sympathy is not strong enough to impress any one deeply.

The story has been written by Armand Kalitz; it has been directed by Erle C. Kenton. Holmes Herbert takes the part of the husband; Carroll Nye, of the secretary:—

The heroine, because of her husband's neglect of her, falls in love with her husband's secretary. The husband loses his eyesight in a railroad wreck. The heroine hears of it just as she was about to elope with the young man. After that, she does not elope, and nurses her blind husband. She continues to press his attentions on the young man against his wishes. The hero regains his eyesight, but instead of making it known to the heroine he proceeds to regain her love first. He succeeds. The young secretary marries the hero's niece.

"Little Shepherd of Kingdom Come" with Richard Barthelmess*(First National, April 8; 7,700 ft.; 89 to 110 min.)*

A fairly appealing picture. Sympathy is aroused for the young hero, but not much of it. There are also some mild thrills. These are found towards the end, where the heroine is shown going to the hero, an officer of the Union forces, to inform him that the outlaws whose extermination he was seeking were making ready to deliver a surprise attack on him, the hero so distributing his forces as to enable him successfully to repel the attack. There is a defect in the construction of the plot in that the spectator is at one time led to believe that the hero would marry another girl.

The plot has been founded on a story by John Fox, Jr.; it has been directed by Alfred Santell well, from an adaptation and continuity by Bess Meredith. It is a civil war story, in the beginning presenting the hero as an orphan boy, who had never known his parents. In time it came to light that he was the descendant of a prominent Kentucky family, his father having been disinherited by his grandfather for having married without the grandfather's consent. The hero eventually establishes his identity and marries the girl with whom he had been reared in the Kentucky mountains.

Molly O'Day takes the part of the heroine. Nelson McDowell, Martha Mattox, Victor Potel, Claude Gillingwater and others are in the cast.

Richard Barthelmess' popularity and the attractiveness of the title should help the picture draw.

"Good Morning Judge" with Reginald Denny*(Univ.-Jewel, April 29; 5,645 ft.; 65 to 80 min.)*

A good picture. There isn't much comedy in it but there is suspense. Such suspense is created by the hero's efforts to hide his identity from the heroine, to whom he was about to be betrothed. The heroine had never met the hero; nor did the hero the heroine. The hero, however, had accidentally learned who she was. The scenes that show the hero's sister calling on the heroine, a settlement worker, are suspenseful: the heroine had assigned the hero to the task of showing the building to his own sister. He had managed to escape detection by turning his face around so that she would not see him, until finally he had to make his presence known to her. But he managed to prevent her from exclaiming and making the fact known that he was her brother. The scenes in the hero's home where the heroine had taken her reformed criminals, also are suspenseful. The hero had detected them in the act of concealing the jewels they had stolen from the guests while dancing with them. The heroine's suspicions that it was the hero who had stolen the jewels adds to the suspense. The story ends, of course, with the hero's identity made known to the heroine and with their marriage.

The story has been written by Harry O. Hoyt. The picture has been directed by William A. Seiter well. Dorothy Gulliver takes the part of the hero's sister; Mary Nolan that of the heroine. Otis Harlan, William Davidson, William Worthington, Bull Montana, Charles Coleman, Sailor Sharkey and others are in the cast.

QUESTIONS IN ARBITRATION

In October, 1926, an exhibitor signed a contract for one picture to be played February 16, 17, 18, and 19, 1927.

When the contract came back approved, he did not notice that there was a Rider attached to it stipulating that in case the picture was not released up to those dates the exhibitor be obligated to give other dates.

The question was put up to me to say whether the contract was valid or not.

This is the opinion I rendered:

Inasmuch as the Rider was not initialed, not only is it not binding but it renders the contract null and void, because it had been altered by the one party without the consent of the other party. Without the rider, the contract would have become null and void on February 16, 1927, because of the distributor's failure to deliver the picture on that date on account of the fact that the picture had not yet been made.

It has been the custom among many exhibitor-arbitrators in such cases to vote in favor of the distributor on the ground that the exhibitor ought to have compared the approved contract with his memorandum copy when he received the approved contract. Such arbitrators attribute to the exhibitor, as a rule, ulterior motives. They will not believe the exhibitor when he asserts that he did not notice that the contract had been altered; they say that he did notice the change but, having in mind to "gyp" the exchange, refrained from entering a protest. Consequently he ought to, according to their way of thinking, be bound by the contract, even as altered.

I have had a vehement argument with two exhibitor-arbitrators of this zone, friends of mine, on this point, and won them over. My contention is that no arbitrator has the right to imply that such an exhibitor had dishonest intentions, unless he, the arbitrator, has a proof of it. And no proof can be offered to justify the arbitrator's stand against the exhibitor when the exhibitor says, "I did not notice that the approved contract came back altered." No one can say that it is impossible for an exhibitor to overlook to compare the two copies. You know that such a thing is possible.

But let us, for our purpose, assume that the exhibitor noticed that the approved contract had been altered and that he failed to protest, having in mind to take advantage of the distributor; has such an arbitrator the right to vote against the exhibitor?

In order to answer this question intelligently, it is necessary for us to examine the acts of both parties for the purpose of finding out whose act was the most offensive:

The exhibitor, in failing to protest when he noticed that the approved contract had reached him altered, his desire being to take advantage of the distributor, commits a dishonest act; but he breaks no law. On the other hand the distributor, in altering the contract without the consent of the exhibitor, not only commits a dishonest act, but also breaks the law. Thus we see that the offense of the distributor is far greater than the offense of the exhibitor. Exhibitor arbitrators should, therefore, vote in favor of the exhibitor in all such cases.

Vote for the exchange when the exhibitor is clearly wrong! Vote for the exhibitor always when he is right! Vote for the exhibitor when both, distributor and exhibitor, are wrong, particularly when the distributor is doubly wrong, for by so doing you discourage sharp practices.

THE T. O. C. C. AND THE NEW CONTRACT

I have been informed reliably that Theatre Owners' Chamber of Commerce, of New York City, is planning to throw arbitration overboard, resorting to the courts if necessary, unless the producer-distributors consent to submit any of their contract and arbitration procedure reforms that the contract committee received from them but ignored, to a seventh arbitrator, to be appointed by the Chief Justice of the Supreme Court of the United States, in accordance with an agreement reached at the Trade Practice Conference.

It is a well-known fact that not a single question was submitted to a seventh arbitrator.

I hope that the New York exhibitors are not full of wind this time. Let us hope that this threat is not a mere gesture, such as we have been accustomed to seeing Mr. Hays make, and that they will carry it out. Al Steffes, president of the exhibitors of the northwest, is

doing things in Minneapolis; recently he won a case for an exhibitor before the arbitration board. Warner Bros. did not like the decision and went to court to enjoin the board from applying the penalties agreed upon in the arbitration rules. The court issued the injunction. This naturally prevented the board from either refusing to hear Warner Bros. cases or to demand of the film board that the penalties be applied. The exhibitor-arbitrators, however, decided to hear no cases at all, until the court had rendered a decision as to whether the injunction should be made permanent or not. The producer-distributors asked the Mayor of Minneapolis as well as the President of the Chamber of Commerce to appoint the exhibitor-arbitrators, but these officials refused to become embroiled in the controversy. The result was that the calendar was glutted with cases, and no one was to hear them.

That is how the boys of the Northwest have been doing—they have been acting, instead of merely talking. Let Theatre Owners' Chamber of Commerce, too, act an cut out talking.

ICE, ICE EVERYWHERE!

The reception Mr. Will Hays received in Paris, France, where he went to have a talk with the French statesmen in an effort to have the restrictions put on American films moderated, if not lifted, was as warm and cheerful as was the reception that the hero, the heroine, and other characters in "The Trail of '98" received when after six months of gruelling hardships they reached Dawson, Klondike. The last stage of their journey to Dawson was riding the rapids, in which feat they but lost their lives. When they reached the city they were told that every foot of land had been staked and that what they went through in their six months' struggle to reach their goal was a child's play as compared to what they would go through in the following six months to make a living. There was ice ahead of them; there was ice back of them; and there was ice above them—there was ice everywhere.

That has been the reception of Mr. Hays in Paris—ice, ice everywhere.

The fact that Mr. Hays had sent his advance agent, C. C. Pettijohn, three weeks ahead, so that he might build some fires and warm up the place did not seem to make any difference; when Hays arrived, he found that there was ice everywhere, just the same.

Mr. Hays' departure from New York was very warm, indeed; Adolph Zukor and the other prominent members of the motion picture industry, members of the Hays' organization, were on the boat to see him off. It was well staged. But to many that know the inside of things it seemed like the send-off President Harding gave to Mr. Hays when he went to the President and told him that he got a job in the moving picture industry and would like to leave the Cabinet. "Here's your hat! What's your hurry!" President Harding is quoted as having said to him.

The trouble with Mr. Hays is just what this paper has said right along—he has not yet realized that he is in a business and not in politics. To send a "fixer" ahead to prepare a reception in Paris was very poor taste, indeed. Mr. Hays ought to have known that when he deals with French statesmen he does not deal with exhibitors; he can "kid" exhibitors but he cannot "kid" men like Herriot, Poincare, Briand and other brainy men of France. At best the Frenchmen would say to themselves what the Raleigh, North Carolina, editor said when it was announced that "Uncle Tom's Cabin" was to be shown in that city: "We have no complaint to make about the program of a 'Tom Show' in a Raleigh moving picture show." The French men must have said: "We have no complaint to make at the presence of Will H. Hays in Paris. We'll be glad to show him the sights."

Mr. Hays' mission in France will undoubtedly be a failure. It doesn't take much intelligence to arrive to such a conclusion; a child could have foreseen it, for he has gone there ten years too late. Besides, he has adopted political methods to deal with a purely business proposition. He has made a failure of all such attempts in the United States and there is no reason why we would assume that he will make a success of them in France.

What a cold city Paris must have appeared to Mr. Hays! What an ice box it must have proved to him. And how his heart must have frozen when he saw ice everywhere. I venture to say that the Eiffel Tower is the biggest icicle he has ever seen.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions.....	12.00
Canada and Mexico..	12.00
England and New Zealand.....	14.50
Other Foreign Countries.....	16.50
25c. a Copy	

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, APRIL 14, 1928

No. 15

"THE ARGUMENT OF A BURGLAR"

"C. C. Pettijohn, chief counsel for the Hays organization, has been my only source of information regarding the merits of the Brookhart Bill to put a stop to block-booking. I have read all his arguments in opposition to it, and those of no one else in support of it, and have satisfied myself that the bill should pass. Block-booking is economically unsound, and as practiced by the motion picture industry is ethically unsound. I assume that Pettijohn, the paid protester, has assembled all the protests that can be made, but his arguments could not impress an open mind. He touches only the surface of the question, and contradicts himself when dealing with it. He invites the public to devise a better selling system and present it to his organization. The argument of a burglar that he can think of no easier way to make money may be sound enough as an argument, but scarcely will be accepted as an excuse for burglary. . . ."

—Welford Beaton in his FILM MERCURY, Hollywood.

* * *

The pet argument of the producers in their effort to induce the exhibitors to oppose the Brookhart Bill is that in its present form the Bill will open the way to non-theatrical competition. The producers talk as if the way to non-theatrical competition is closed now. As things now stand, the producer that will refuse to sell film to a non-theatrical place runs the risk of going to jail.

But that is not the important point: the producer-distributors, who shed tears before you because the bill "will open the door wide open to non-theatricals," not only do not discourage the selling of film to non-theatrical places, but encourage it, even though they appear as if discouraging it. There are hundreds of non-theatrical places that get film ahead of the regular theatres today, and the exhibitors' protests are impotent to change things. In Connecticut, the exhibitors are up in arms because of such a situation. There is, in fact, hardly a state in the union but has some grievance against the producer-distributors for renting film to non-theatrical places to the detriment of the business of regular theatres.

But here is another condition that makes the passing of the Brookhart Bill an absolute necessity, no matter whether the danger from non-theatricals is real or not: In Michigan, the Butterfield Circuit is demanding a thirty-day protection, within a radius of twenty-five miles, over all other exhibitors. This means that over 350 theatres in the state of Michigan will not be able to use the film that the Butterfield Circuit uses—and it uses practically all—until thirty days shall have elapsed from the time that circuit's theatres have used it. Remember that Famous Players-Lasky has a twenty-five per cent. interest in that circuit. This means that the Paramount and Publix resources are back of Colonel Butterfield. Consequently, the demand will be acceded to by all the distributors.

Now, as I said last week, Sam Katz has demanded and received long protection from all distributors within a radius in some cases as high as forty miles in the towns wherein Publix Theatres are situated. The demand from the Butterfield Circuit seems to be a well-laid plan on the part of Famous Players-Lasky to impose a similar condition in every zone in the United States. Where they have no theatres, the benefit will go to the other producer-distributor-exhibitors in return for their support of the Publix stand.

Let us now see what will happen if this condition should become general:

Independent exhibitors will not be able to use a film until at least thirty days have elapsed from the time the circuit's theatre has used it. Now, in this territory, the Loew interests demand only a seven day protection over their competitors. And yet there are times when the independent exhibitors, competitors to a Loew Theatre, are unable to show the film that the Loew theatre has shown until thirty days and often several months, have elapsed, for the reason that, in some cases, the Loew interests demand that no independent exhibitor shall use the film until all the Loew theatres in the territory have played it; in some other cases they hold the film back for so long that it has whiskers when the independent exhibitor gets it. You may realize, therefore, what a weapon this protection is becoming in the hands of the big circuits; they can put out of business any independent exhibitors merely by withholding the film for an unreasonable length of time, so that when it at last reaches them it has lost all its publicity value. As they succeed in getting protection, their demands will increase until the time will come when they will want a six-month protection or longer.

The withholding of film for an unreasonable length of time has also one other "kick-back"; the producers that are not in the ring do not get their money back quickly enough to go on with the production of their other pictures. The result is that they either have to get along as best as they can with whatever funds they have on hand, in which case the result is poor pictures, or they go to the bank and borrow money to keep on producing, in which case the result is excessive cost of production, for every one knows that the banks get such producer's shirt for whatever money they lend him.

The only remedy from all this is the Brookhart Bill.

Have your choice: either the Brookhart Bill, with all its faults, if it has any, but an ability on your part to get film to run your theatre with, or no Brookhart Bill and the present situation continued, aggravated by the well laid plan of the producer-distributors to put you out of business by means of their demands for "protection," and of other means. But remember that, if the Brookhart Bill has flaws in it, Senator Brookhart is willing to so amend his bill that you, the independent exhibitor, will be protected. He wants to help you, not to hurt you.

Do not pay any attention to the arguments that are put out by the producers and distributors. They don't want the Brookhart Bill to become a law, because they know that under it they will crack; they will not be able to amass the millions they are now amassing so easily. At present the moving picture industry is the property of two or three concerns; it is the cow these three now milk exclusively; they keep the cream and pass the skimmed milk to you and to the public. The Brookhart Bill will let you, too, have some of the cream.

Have your choice!

NO FURTHER PROTESTS TO WARNER BROS. NECESSARY

Warner Bros. have now supplied me with the release numbers of their features. So you may now consider the matter closed.

Before disposing of this matter entirely, however, I want to thank all those who sent a protest, particularly the Connecticut M. P. T. O., for the wonderful resolution they passed at their meeting in support of my stand. The wonderful spirit you have shown encourages this paper to carry on more determined than ever.

"The Big Noise"—with Chester Conklin*(First National, March 25; 7,400 ft.; 86 to 105 min.)*

Humorous! It is the story of a New York subway guard who gets slightly injured when he is pushed over by the "sardines," as the subway travelers are called, and falls on the tracks, the train just touching him when it was brought to a stop.

What follows is a travesty, not only on the sensational newspapers, but also on some candidate for Mayor of New York City, who, in connection with a tabloid, exploits the accident to his political advantage. The candidate for mayor and the owner of the tabloid make a great hero out of the subway guard, getting great publicity for themselves. Instead of allowing the guard to be treated at the subway company's hospital, they have him removed to one of the best hospitals in the city, supply him with nurses, forbid even his wife to talk to him while in the hospital, and in fact so magnify his accident that the people of New York City are shown showering him with honors.

The candidate is elected and he immediately forgets all about the great national hero. Heartbroken, the hero turns to the subway company, offering to accept the ten thousand dollar check for a settlement, which he refused to accept before the elections when the company, who feared that candidate, offered him in an effort to burst up the publicity bubble and prevent his election, but is turned down flatly. But his daughter saves the day when the man she married turns out to be the son of a great and wealthy dairy man.

The plot has been founded on an original story by Ben Hecht. It has been directed skillfully by Alan Dwan, from an adaptation by Tom Gerathy. Alice White, Bodil Rossing, Sam Hardy, Jack Egan, Ned Sparks, David Torrence and others are in the cast.

It should please everywhere.

"Canyon of Adventure"—with Ken Maynard*(First National, April 22; 5,800 ft.; 67 to 83 min.)*

It seems as if a necessity to review the pictures in which Ken Maynard appears hardly exists. Every one seems to turn out as good as the others. They are sure Western entertainments.

Mr. Maynard again takes the part of a gallant young man, who undertakes to protect the heroine's interests from scheming villains. This time he is a Government representative, sent to the heroine's father, a noble Spaniard, in an effort to induce him to register his land before the date set by the Government of the newly acquired territory, California. During his call, he sensed that the villain coveted the old Spaniard's land, and his daughter, and that he was advising him badly so that the land and the girl might eventually fall in his hands. But the hero, who saw through the scheme, came to the rescue—he saved the land and won the heroine as a wife.

The scenes that show the hero as having fallen in the hands of highwaymen are suspenseful. His ability to outwit them by making them believe that he was a famous outlaw, eventually using them to help him defeat the villain's plans, interests the spectator.

The plot has been founded on a story by Marion Jackson; it has been directed well by Albert Rogell. Virginia Browne Faire takes the part of the heroine. Eric Mayne, Theodore Lorch, Tyron Brereton and others are in the cast.

"The Skyscraper"—with William Boyd, Sue Carol, Alan Hale and Alberta Vaughn*(Pathe-DeMille, April 8; 7,040 ft.; 81 to 100 min.)*

This is a combination of "Safety First" and "Hold Your Breath." It is a picture that has been photographed on the dizzy heights of a new-constructed skyscraper. The trade has not seen another picture so produced. The scenes that show a young boy, impersonated by Wesley Barry, swinging from one place of the skyscraper to another by means of a rope, perhaps 200 feet above the ground, give one the chills; one is made to feel as if the boy would lose his hold and be dashed to pieces on the pavement below. And that is exactly what happens. Only his actual fall is not shown; it is only implied. The most pathetic situation, however, is that which shows the heroine calling on the hero and the hero "not even getting up to greet her," as she put it when later she met the hero's chum. The hero had been crippled as a result of a fall, and was doing all he could to make the heroine cease loving him, because he thought that he would remain a cripple all his life, and he did not want her to marry a cripple. Pathetic is also the scene

where the heroine becomes aware of the fact that he was a cripple. The picture is interspersed with comedy, caused chiefly by Allan Hale, who takes the part of a Swede. He and the hero, chums, are shown as friendly enemies, fighting all the time. The scenes that show Allan Hale purposely taunting the hero so that he might awaken in him a desire to get well are full of heart appeal; he risked losing the hero's friendship, but he would not give up taunting him.

The plot has been adapted by Elliott Clawson and Tay Garnett, from the story by Dudley Murphy. It has been directed with skill by Howard Higgin.

You will not make a mistake if you should advertise this picture to your public as a special.

"Speedy"—with Harold Lloyd*(Paramount, April 7; 7,960 ft.; 92 to 113 min.)*

It is hard to choose between "Speedy" and "The Freshman" as to which is the better. But one can settle the argument by deciding that "Speedy" is as funny as "The Freshman."

"Speedy" is not as high-class a comedy as was "The Freshman," but it is just what its title indicates—speedy. Its action is dizzily fast from the beginning to the end. And there are thrills almost in every foot of the action. These thrills are caused chiefly by Mr. Lloyd's running a delapidated car at top speed through the crowded thoroughfares of a big city, supposedly New York. This happens twice—when he is a taxicab driver and when he makes an effort to save his sweetheart's father's horse car which had been stolen by some thugs, who were paid by a railroad magnate to steal it; the magnate wanted to electrify that road but was unable to do so because the heroine's father would not sell him his franchise; and the only way whereby the railroad man could annul his franchise was to cause the interruption of the service for twenty-four hours.

The love affair between Harold Lloyd and Ann Christy is charming.

The picture was directed by Ted Wilde, from a story that was the result of the collaboration of many writers.

"The Devil's Skipper"—with Belle Bennett and Montagu Love*(Tiffany-Stahl, Feb. 1; 5,510 ft.; 64 to 78 min.)*

A powerful story of the sea. It is, in fact, as powerful as any of the Jack London stories that have been filmed. It presents the heroine as a pirate skipper's captain who roamed the seas and carried on a slave traffic. She is eventually shown touching New Orleans, and sending for a wealthy trafficker in negro slaves. When the slave merchant and his daughter with her fiancé board the ship, the heroine gives orders to weigh anchor and to set sail. The merchant does not understand it all. It is then that the heroine reveals her identity to him: she tells him that she is his wife, whom he had kidnapped and given to a captain of a slave ship to be handled as the captain saw fit.

The entreaties of her husband and his assurances that it was not he that had given her to the captain of the slave ship but his father, who had not approved of the secret marriage, are impotent to make the heroine believe him. In revenge, she orders that his daughter be delivered to the crew of her ship, to be handled the way that the man who would win her in a fair fight with the other members of the crew saw fit. The slave merchant tells the heroine that the girl is their own daughter. The heroine is horrified when she hears of it; she rushes and snatches her daughter from the hands of the man that had won her in a fair fight. The man stabs the heroine in the back. She dies, begging her husband never to let their daughter know who she was.

The last scenes, in which Belle Bennett is shown begging her second in command (who was the one that had rescued her from the hands of the slave crew when years before she had been given to them), to let her see her daughter and holds her in her arms, and actually holding her in her arms and pressing her against her breast, are pathetic in the extreme. Pathetic are also the scenes of her last moments. Her aid holds her in his arms and sheds tears; he loved her with all his heart.

The picture has been directed by that reliable old director, John G. Adolph, from a screen adaptation by John Francis Natterford. Belle Bennett does well as the skipper, and Montagu Love as her second in command. Cullen Landis, Mary McAllister, and Gino Corrado are in the cast.

It should take well among customers with literary taste and where strong melodramas are liked.

"Their Hour"—with Dorothy Sebastian, June Marlowe and John Harron

(*Tiffany-Stahl, March 1; 5,652 ft.; 65 to 80 min.*)

Not a bad little picture. On the contrary, there is deep human interest in some of the situations, and the attention is held pretty tight from the beginning to the end.

It is a sex play, in which the hero is shown as erring; he was engaged to the heroine, but her wealthy cousin sets her eye on him and is determined to have some "fun" with him. She invites hero and heroine to her father's home in the country. She takes the hero on an aeroplane ride and lands far away by pretending that something had gone wrong with the motor. They are thus compelled to spend a night in the nearest inn. The heroine's cousin so tempts the hero that he is unable to restrain himself. In the morning he feels guilty and decides to tell the heroine that it would now be unfair for him to marry her, and to ask her to release him. After hesitating for several hours, writing and tearing many letters before being able to write one that suited him the most, he posts the letter. But how shocked he is when a man appears in the morning and the girl introduces him to the hero as her future husband! The hero is breathless. He takes a car and rushes to the post office to take back his letter to the heroine, but finds that the letter had already gone. He returns to the city, calls on the heroine, kneels before her and begs forgiveness.

The picture is hardly for young boys and girls. But it is not unsuitable for adults, unless they are strictly religious.

The plot has been rounded on a story by Ainet Sneyby Levino. It has been directed by Al Kaboch. Holmes Herbert, John Koche, Huntly Gordon, John Stepling, and Myrtle Stedman also are in the cast.

"Partners in Crime"—with Wallace Beery and Raymond Hatton

(*Paramount, March 17; 6,600 ft.; 76 to 94 min.*)

Not since "We're in the Navy Now" has Paramount produced so good a comedy as it has in "Partners in Crime." Although the laughs in this picture are not so numerous as they were in "We're in the Navy Now," yet "Partners in Crime" has this advantage, that it combines thrills and laughs.

Mr. Beery is this time presented as a stupid detective, and Mr. Hatton as a newspaper reporter. But Mr. Hatton was unfortunate enough to have a double, in the person of "Knife" Regan, a famous underworld murderer, a fact he was unaware of. You can imagine, then, the complications that arise from this mixture of identities. There are times when the famous Killer is taken for the reporter, and vice versa. Wallace Beery, too, is shown confused at times. Often he talks to the Killer thinking that it was his friend the reporter he was conversing with. The reporter, too, is led to believe that his friend was not really a detective but a second-story man, masquerading as a detective.

The greatest suspense is caused in the situations where Mr. Beery is shown as having been engaged by the leader of a rival gang, who was mortally afraid of the Killer. Mr. Beery had "socked" the Killer in the jaw and tied him, thinking that it was his friend. For this, the leader of the rival gangsters hires him as a bodyguard.

There is a situation in this picture that is comedy provoking because it is original. Its originality comes from the fact that tear bombs have been used in pictures for the first time. The two heroes are shown, while in the lair of the crooks, coming upon some innocent looking paper boxes. They use them as missiles. When the boxes break they create smoke and the characters are soon in tears and powerless to offer resistance. This enables the authorities to round up all the criminals. It is quite laughable to see the characters weeping while talking.

The picture has been directed by Frank Strayer. Mary Brian does well as the heroine. William Powell, Jack Luden, Arthur Housman, Bruce Gordon, Joseph W. Girard and others are in the cast.

"The Road to Ruin"—with Helen Foster

(*Regional; 5,167 ft.; 60 to 73 min.*)

This picture deals with the delinquency of youth. But never has a theme of this sort been handled so delicately, and made so convincing as has this one. There are some situations in it that should make it difficult for anybody to suppress his emotions. What makes it convincing, in particular, is the fine acting of Helen Foster and of all the other characters, thanks to Director Parker's skillful handling of them. The situation where the young heroine's

father, a tired businessman, of the kind that seek diversion away from home finds his daughter (heroin) in a house of prostitution and is horrified; the situation later where the young heroine, after the father had taken her home, is shown dying—all this and more will wring the heart of any human being.

The story shows an innocent young girl going bad, because of her mother's over-confidence in her and her father's indifference as to the sort of young men and young girls she was associating with. To make matters worse, the second friend she had made takes her to a fake doctor, who performs a criminal operation. Though she is not feeling well, she is induced by her young friend to go for his sake to a certain party, where they were short of a girl. To her horror, the man that was to call on her turns out to be her own father. He takes her home and sends for the doctor. But the doctor tells the parents that there is no hope for her because of the clumsy operation and of other complications, and that she had but a few hours to live. She dies in the arms of her father.

This picture should do more good than a million preachments. It is a picture that every young man and young girl between the ages of 16 and 21 should see. But it cannot be handled in the ordinary way; either it must be shown in theatres where special pictures are shown, or the theatre owner must make it plain to his customers what the nature of the theme is. It would be much better, in fact, if a time were set aside when young girls could see the picture without the presence of young men and to young men at a time when no young girls were present. It could be shown to mixed adult spectators.

"The Blue Danube"—with Leatrice Joy, Joseph Schildkraut and Nils Asther

(*Pathe-DeMille, March 11; 6,589 ft.; 76 to 94 min.*)

An excellent drama! The story is very dramatic, and Mr. Schildkraut is given an opportunity to do some wonderful acting. There are some deeply pathetic situations in it, that which shows the hero returning from the war and finding the girl he loved married to a hunchback being particularly so. The interest is kept tense all the way through. Nils Asther, as the titled young Austrian, who loved the heroine, a commoner, does excellent work in the hero's part. He seems to be a newcomer but shows promise. Leatrice Joy does not fill the part of the heroine so well.

The story is supposed to unfold in Austria just before the great world war days, and shows a young Baron (hero), officer in the Austrian Army, fall in love with the heroine, daughter of a tavern keeper. She is loved passionately by a hunchback, who kept his love to himself. On the eve of their marriage the hero is ordered to join his colors and to leave for the front immediately. He sends word to the heroine by the hunchback to meet her at the station so that they might be married by the army chaplain. But the hunchback withholds the message from the heroine. The hero is captured by the Russians and is sent to Siberia. His father, who had become impoverished and who aspired to see his son marry a wealthy brewer's daughter, forges his son's name on a letter, leading the heroine to believe that the hero no longer cared for her, by asking his father to pay her a certain sum of money as a dowry, so that she might marry some one else. The forger succeeds; the heroine, incensed, marries the hunchback, thus hoping to spite the hero. The hero returns and finds the heroine married. When he tells her of the deception, she is heartbroken. The hunchback commits suicide. Hero and heroine are at last united.

It is an original screen story by John Farrow. It was adapted by Harry Carr and Paul Sloane, and has been directed by Mr. Sloane with skill.

Its drawing power will most likely be governed by the drawing power of Leatrice Joy.

ANSWERS FROM M. P. T. O. PRESIDENTS

Mr. M. A. Lightman, President of M. P. T. O., of Arkansas, has written me a fine letter in answer to mine, which was printed in the issue of HARRISON'S REPORTS on March 24. He is holding a convention on April 16, in which the Brookhart Bill will be discussed.

Mr. Charles Picquet, President of M. P. T. O., of North Carolina, has not yet replied.

W. Z. Spearman, President of M. P. T. O., of Oklahoma, has replied very angrily with a scurrilous letter. But I feel sure that after reflection he will apologize for whatever he has said.

SAFE AGAIN!

Now that Charlie Pettijohn is back in the United States, the motion picture industry is safe again. It spent sleepless nights during his absence, because of the fact that the other twin was in Europe at the same time, and no one would be here to prevent a calamity should a calamity visit it.

The Kangaroo Courts will continue to function as before, the Monkey Trials will be held weekly, thanks to the safe return of Charlie, their supervisor. We hope that the producers will never again send the Siamese twins out of the United States at the same time, for it is unwise for them to leave the industry unprotected.

Charlie spells his name C. C. Pettijohn. We used to think that the two C's meant Confidence and Cooperation; but since the last general meeting of the Theatre Owners Chamber of Commerce, in which meeting the Brookhart Bill was discussed, we found that the middle C stands for Cash; he said that the reason why he left you, much to your regret, I assume, and went to the producers, was the fact that you would not pay him what he deserved and the producers have paid him. So his name now is, not Confidence and Co-operation Pettijohn, but Confidence and Cash Pettijohn, with the accent on "Cash."

Charlie goes where the money is. And where it isn't, he isn't. In the old days he took an interest in the Indiana exhibitor organization matters. But because there wasn't any money in exhibitors, he used to "bust up" the meetings.

He went to Chicago, representing the "busted" Indiana exhibitors' organization, where Lee Ochs ran and was elected President of the national exhibitors' organization for the last time. That was back in 1919, if my memory serves me right. But Charlie wrecked that convention, because there was no money there; he was the leader of the faction that bolted.

Immediately afterwards he started the Affiliated Exhibitors for the purpose of buying film for the members cooperatively. When things did not look so rosy, he and a Mr. Brink, from Grand Rapids, Michigan, sold the bankers the idea that much money could be made if they would consent to amalgamating Mutual and Affiliated Exhibitors. The Bankers consented and The Exhibitors Mutual Film Company was born.

But the new company did not take long to "bust up"; Pettijohn was an officer of it and a leading spirit, and it had to go the way of the others.

Charlie then joined hands with Looie Jay Selznick.

While with Selznick, he startled the scientific world by proving that one plus one do not make two but three, for he told them that one was Selznick, two was the exhibitors, and three was National Pictures Theatres.

By means of that organization Looie and Charlie were to save the exhibitor.

But National Picture Theatres went the way of the others, for Charlie, the Undertaker, was there. It would not do to spoil the series of his successful failures.

Immediately after the burial of National Pictures Theatres, Looie and Cash put their heads together and The American Fiscal Corporation was born, with Charlie Cash as its founder and President.

The object of The American Fiscal Corporation was to manufacture and sell wall paper in the form of Selznick Stock, and with the proceeds, after fifty per cent, was kept by Charlie Cash, Selznick was to set the producing world afire. The two were to earn seas of radium for the stockholders. Unfortunately, Charlie Cash was there, and that, too, had to go the way of the others.

Finally he discovered Will H. Hays, of Indiana, and sold him to the producers.

Will and Charlie have been working so closely ever since that the two have become the Siamese Twins. One can not do without the other. Charlie Cash is, in fact, the Eye of Will, for Charlie Cash is supposed to know all about exhibitors. Unfortunately, however, Charlie Cash receives only \$34,000 a year. You may think that he is not worth \$34 a week, but he is worth more than that to the industry.

Let us pray and give thanks that Charlie has been spared to return to these shores to the everlasting glory of the moving picture business.

KEEP THIS FOR FUTURE USE

When the distributors of so-called big pictures insist that you must charge a fifty cents minimum admission price to their pictures, just ask them why they should discriminate against you? I have before me a circular put out by the Carolina Theatre, of Chapel Hill, North Carolina, in which

it is stated that "Sadie Thompson," "Seventh Heaven," "The Enemy," "Sorrell and Son," "The Tempest," "Ramona," "The Circus," "Speedy," "What Price Glory," "Loxe," "Gaucho," "The Tempest," and other big pictures, have been or will be shown in that theatre at thirty cents.

"All the above pictures are showing in the Northern Cities from fifty cents to two dollars," says the circular. "The Carolina Theatre which will be one of the finest theatres in the South to show the above pictures, will only charge thirty cents."

The Carolina Theatre is a Publix house.

Why do they charge thirty cents?

Simple enough! There is opposition in that town; and where there is opposition they lower the admission price until they put the independent exhibitor out of business. When they accomplish this; when they remove all opposition, they put up the price, usually to fifty cents.

That is what the circuits do; they "soak" the poor public.

In connection with chain theatre operation, let me reproduce herewith part of an article printed in the April 5th issue of *News and Observer*, of Raleigh, North Carolina:

Scotland Neck, N. C., April 4.—"Chain organizations in any business constitute virtual monopolies, and today they are drawing the life blood out of every community in which they operate," asserts R. J. Madry prominent business man of Halifax County, in an open letter which he wrote Senator F. M. Simmons today.

Declaring that the chain grocery stores, chain motion picture houses, chain drug stores, chain department stores, and other chain systems are not only a menace, but are "almost entirely responsible for the present great depression in business everywhere," Mr. Madry warns that "unless something is done by Congress or the Federal Trade Commission, to remedy the situation, the whole country will be thrown into bankruptcy and revolution."

"These chain systems constitute the vilest form of monopoly the country has ever faced," the Scotland Neck man, who is a wholesale grocer, motion picture house owner, and farmer, wrote Senator Simmons. "Authoritative statistics show that in the grocery business the chain system have already eliminated 90,000 independents and are moving on rapidly. They are crushing the life of the independent business man of every community; you know what will happen when they have eliminated enough to stifle competition. They will fix prices where they want them, and those prices won't be low."

"In 1900 there were only 25 chain drug stores in this country. Today there are about 5,700, and they do 20 per cent of all the drug business in the country. The Bureau of Census reports that four of the grocery chains gained 209 per cent in volume of business between 1919 and 1926."

Mr. Madry describes the chain system as "leeches drawing the life blood out of every community in which they operate. Their system is a continuous drawing out process," he declares. "All goes out and nothing comes in to take its place. These stores place money in the local banks one day and the next day it is drawn out by the big moguls of their organization who sit in Wall Street."

STATEMENT OF THE OWNERSHIP, MANAGEMENT CIRCULATION, ETC., REQUIRED BY THE ACT OF CONGRESS OF AUGUST 24, 1912, OF HARRISON'S REPORTS published Weekly at New York, N. Y., for April 1, 1928
County of New York.
State of New York.

Before me, a Notary Public, in and for the State and County aforesaid, personally appeared P. S. Harrison, who, having been duly sworn according to law, deposes and says that he is the Editor and Publisher of the HARRISON'S REPORTS and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management, etc., of the aforesaid publication for the date shown in the above caption, required by the Act of August 24, 1912, embodied in section 443, Postal Laws and Regulations, to wit:

1. That the names and addresses of the publisher, editor, managing editor, and business manager, are:

Name of Publisher, P. S. Harrison, 1440 Broadway, New York, N. Y.

Name of Editor, P. S. Harrison, 1440 Broadway, New York, N. Y.

Managing Editor, None.

Business Manager, None.

2. That the owners are: P. S. Harrison, 1440 Broadway, New York, N. Y.

3. That the known bondholders, mortgagees, and other security holders owning or holding 1 per cent. or more of total amount of bonds, mortgages, or other securities are: None.

4. That the two paragraphs next above, giving the names of the owners, stockholders, and security holders, if any, contain not only the list of stockholders as they appear upon the books of the company but also, in cases where the stockholder or security holder appears upon the books of the company as trustees or in any other fiduciary relation, the name of the person or corporation for whom such trustee is acting, is given; also that the said two paragraphs contain statements embracing affiant's full knowledge and belief as to the circumstances and conditions under which stockholders and security holders who do not appear upon the books of the company as trustees, hold stock and securities in a capacity other than that of bona fide owners; and this affiant has not reason to believe that any person, association, or corporation, has any interest direct or indirect in the said stock, bonds, or other securities than as so stated by him.

(Signed) P. S. HARRISON,
(Owner).

Sworn to and subscribed before me the 30th day of March 1928.

MARY D. ROMARY.
(My commission expires March 30, 1930)

IN TWO SECTIONS—SECTION TWO

HARRISON'S REPORTS

Vol. X

SATURDAY, APRIL 14, 1928

No. 15

(Partial Index No. 2—Pages 29 to 56 Incl.)

Alex the Great—F. B. O.	43
A Modern du Barry—U. F. A.	50
Beyond London Lights—F. B. O.	30
Big City, The—Metro-Goldwyn	51
Bringing Up Father—Metro-Goldwyn-Mayer	46
Burning Daylight—First National	38
Buttons—Metro-Goldwyn-Mayer	34
Chinatown Charlies—First National	50
Chaser, The—First National	35
Count of Ten, The—Universal	43
Crowd, The—Metro-Goldwyn-Mayer	30
Czar Ivan the Terrible—Amkino	51
Doomsday—Paramount	35
Dressed to Kill—Fox, 6,566 ft.	42
Feel My Pulse—Paramount	38
Finders Keepers—Universal	34
Flying Romeos—First National	51
Four Sons—Fox, 9,412 ft.	39
Garden of Eden, The—United Artists	51
Girl in Every Port, A—Fox	31
Good Morning, Judge—Universal-Jewel	55
Ham and Eggs at the Front—Warner Bros.	34
Heart of a Hollies Girl, The—First National	46
Ladies' Night at a Turkish Bath—First National	42
Latest From Paris, The—Metro-Goldwyn-Mayer	35
Leopard Lady, The—Pathe-DeMille	35
Little Shepherd of Kingdom Come—First National	55
Love Me and the World Is Mine—Universal	30
Mad Hour, The—First National	46
Marry the Girl—Sterling	39
Matinee Idol—Columbia	54
Nameless Men—Tiffany-Stahl	47
Night Flyer, The—Pathe deMille	47
Noose, The—First National	35
Peaks of Destiny—UFA-Paramount	34
Port of Missing Girls, The—Brenda-Regional	47
Red Hair—Paramount	54
Rose Marie—Metro-Goldwyn-Mayer	31
Sadie Thompson—United Artists	35
Secret Hour, The—Paramount	42
Showdown, The—Paramount	34
Skinner's Big Idea—F. B. O.	43
Smart Set, The—Metro-Goldwyn	38
So This Is Love—Columbia	47
Soft Living—Fox	38
Something Always Happens—Paramount	51
Spoilers of the West—Metro-Goldwyn-Mayer	46
Sporting Age, The—Columbia	55
Sporting Goods—Paramount	30
Square Crooks—Fox, 5,397 ft.	38
Stand and Deliver—Pathe-deMille	54
Stop That Man—Universal-Jewel	50
Streets of Shanghai—Tiffany	34
Surrender—Universal	39
That's My Daddy—Universal	31
Tragedy of Youth, The—Tiffany-Stahl	43
Trail of '98, The—Metro-Goldwyn-Mayer, 11,000 ft.	54
Under the Tonto Rim—Paramount	50
We Americans—Universal	54
Whip Woman, The—First National	35
Why Sailors Go Wrong—Fox	50
Wickedness Preferred—Metro-Goldwyn-Mayer	31
Woman's Way, A—Columbia	47

FIRST NATIONAL PICTURE EXHIBITION VALUES

377 The Sunset Derby—June 3.	700,000B—700,000P
407 Dance Magic—June 12.	900,000B—800,000P
404 Framed—June 19	950,000B—950,000P
391 Naughty But Nice—June 26.	1,300,000B
385 Lonesome Ladies—July 3.	700,000B
422 The Devil's Saddle—July 10.	500,000B
443 The Prince of Headwaiters—July 17.	900,000B
413 White Pants Willie—July 24.	800,000B
409 For the Love of Mike—July 31.	900,000B

548 Poor Nut—Aug. 7.	1,000,000B
432 The Stolen Bride—Aug. 14.	1,100,000B
405 Hard Boiled Haggerty—Aug. 21.	950,000B
428 Three's a Crowd—Aug. 28.	1,000,000B
368 Camille—Sept. 4	Special
465 The Red Raiders—Sept. 4.	700,000B
450 Smile, Brother, Smile—Sept. 11.	900,000B
453 The Life of Riley—Sept. 18.	1,100,000B
400 The Drop Kick—Sept. 25.	1,100,000B
545 Rose of the Golden West—Oct. 2.	Special
433 American Beauty—Oct. 9.	1,100,000B
379 The Crystal Cup—Oct. 16.	900,000B
319 Breakfast at Sunrise—Oct. 23.	Special
457 No Place to Go—Oct. 30.	800,000B
469 Gun Gospel—Nov. 6	\$600,000B
547 The Gorilla—Nov. 13	Special
462 Home Made—Nov. 20	800,000B
452 Man Crazy—Nov. 27	900,000B
549 A Texas Steer—Dec. 4	Special
441 Valley of the Giants—Dec. 11	950,000B
544 The Love Mart—Dec. 18	Special
393 Her Wild Oat—Dec. 24	1,300,000B
546 Shepherd of the Hills—Jan. 1	Special
542 Helen of Troy—Jan. 8	Special
446 French Dressing—Jan. 15	900,000B
459 Sailors' Wives—Jan. 22	800,000B
437 The Noose—Jan. 29	1,100,000B
445 The Whip Woman—Feb. 5.	900,000B
426 The Chaser—Feb. 12.	1,000,000B
464 The Wagon Show—Feb. 19.	600,000B
455 Flying Romeos—Feb. 26.	1,100,000B
447 Mad Hour—Mar. 4.	900,000B
440 Burning Daylight—Mar. 11.	950,000B
434 Heart of a Hollies Girl—Mar. 1.	1,100,000B
448 The Big Noise—Mar. 25	900,000B
451 Ladies' Night in a Turkish Bath—Apr. 1.	1,000,000B
436 Little Shepherd of Kingdom Come—Apr. 8.	1,300,000B
461 Chinatown Charlie—Apr. 15.	800,000B
468 Canyon of Adventure—Apr. 22	700,000B
444 Harold Teen—Apr. 29	900,000B
442 The Hawk's Nest—May 6	not set
456 Vamping Venus—May 13	not set
435 The Yellow Lily—May 20	not set
460 Three-Ring Marriage—May 27.	not set

FEATURE PICTURE RELEASE SCHEDULE 1927-28 Product

Columbia Features

That Certain Thing—Viola Dana	Jan. 1
The Wife's Relations—Shirley Mason	Jan. 13
Lady Raffles—Estelle Taylor	Jan. 25
So This Is Love—S. Mason-Wm. Collier, Jr.	Feb. 6
A Woman's Way—W. Baxter-M. Livingston.	Feb. 18
The Sporting Age—Belle Bennett	Mar. 2
The Matinee Idol—Bessie Love-J. Walker.	Mar. 14
The Desert Bride—Betty Compson	Mar. 26
Broadway Daddies—Jac. Logan-A. Francis.	Apr. 7
After the Storm—Hobart Bosworth	Apr. 19

Excellent Features

Satan and the Woman—Windsor-Keefe.	Jan. 20
The Stronger Will—P. Marmont-R. Carewe.	Feb. 20
Women Who Dare—Helene Chadwick.	Mar. 31
A Bit of Heaven—B. Washburn-L. Lee.	Apr. 25

F. B. O. Features

8233 Driftin' Sands—Bob Steele	Jan. 1
8207 Coney Island—Lois Wilson	Jan. 13
8215 Dead Man's Curve—D. Fairbanks, Jr.	Jan. 15
8243 Wizard of the Saddle—Buzz Barton.	Jan. 22
8209 Little Mickey Grogan—Frankie Darro.	Jan. 30
8294 Fangs of the Wild—Ranger the Dog.	Feb. 5
82111 Her Summer Hero—Blane-Trevor.	Feb. 12
82012 Wallflowers—Trevor-Scott	Feb. 16
8234 Riding Renegade—Bob Steele	Feb. 19
8226 When the Law Rides—T. Tyler	Feb. 26
82011 Chicago After Midnight—Eddy-Ince.	Mar. 4

8244	The Little Buckaroo—Buzz Barton...	Mar. 11
82110	Beyond London Lights—Shumway...	Mar. 18
82015	Freckles—Fox-Bosworth-Darro	Mar. 21
8235	Breed of the Sunsets—Bob Steele.....	Apr. 1
82017	The Devil's Trade Mark—B. Bennett.....	Apr. 7
8295	Law of Fear—Ranger, the Dog.....	Apr. 8
8218	Red Riders of Canada—Patsy R. Miller...	Apr. 15
8225	Phantom of the Range—Tom Taylor...	Apr. 22
82018	Skinner's Big Idea—M. Sleeper.....	Apr. 24
8245	The Pinto Kid—Buzz Barton.....	Apr. 29
82016	Crook's Can't Win—R. Lewis	May 11
8217	Alex the Great—"Skeats" Gallagher.....	May 13
8236	Man in the Rough—Bob Steele	May 20
82014	The Little Yellow House—M. Sleeper.....	May 28
8296	Dog Justice—Ranger	June 10
8224	Texas Tornado—T. Tyler	June 24

Fox Features

Daredevil's Reward—Tom Mix	Jan. 15
Soft Living—Madge Bellamy-John M. Brown....	Feb. 5
A Girl in Every Port—Victor McLaglen.....	Feb. 26
Square Crooks—Robt. Armstrong	Mar. 4
Horseman of the Plains—Tom Mix.....	Mar. 11
Dressed to Kill—Ed. Lowe-Mary Astor.....	Mar. 18
Why Sailors Go Wrong—N. Stuart-S. Phipps...	Mar. 25
Love Hungry—Lois Moran-L. Gray	Apr. 1
The Escape—Wm. Russell-V. Valli	Apr. 8
Honor Bound—Geo. O'Brien-E. Taylor.....	Apr. 15
The Play Girl—M. Bellamy-J. M. Brown.....	Apr. 22
Hangman's House—J. Collyer-V. McLaglen....	Apr. 29
Hello, Cheyenne—Tom Mix	Apr. 29
The Thief in the Dark—Geo. Meeker.....	May 6
No Other Woman—D. Del Rio-D. Alvarado....	May 13
Don't Marry—L. Moran-N. Hamilton.....	May 20
The News Parade—N. Stuart-S. Phipps.....	May 27
Mr. Romeo—N. Carroll-Geo. Meeker	June 3
None But the Brave	June 10
Painted Post—Tom Mix	June 17
Part Time Marriage—June Collyer	June 17
Holiday Lane	June 24
Fleetwing—B. Norton-D. Janis	July 8

Gotham-Lumas Features

San Francisco Nights—Percy Marmont.....	Jan. 1
Bare Knees—Virginia Lee Corbin	Feb. 1
Turn Back the Hours—Myrna Loy.....	Mar. 1
The Chorus Kid	Apr. 1
Hell Ship Bronson—Mrs. W. Reid.....	May 1
United States Smith	May
The Man Higher Up.....	June 1
The Man Higher Up	June
The Head of the Family	July
Through the Breakers	Aug.

Metro-Goldwyn-Mayer Features

853	Love—Garbo-Gilbert	Jan. 2
817	West Point—Haines-Crawford	Jan. 7
832	Divine Woman—Garbo-Hanson	Jan. 14
812	Baby Mine—Arthur-Dane	Jan. 21
846	Law of the Range—McCoy-Crawford.....	Jan. 21
805	Wickedness Preferred—Cody-Pringle	Jan. 28
854	Student Prince—Novarro-Shearer	Jan. 30
825	Latest From Paris—Shearer-Forbes.....	Feb. 4
843	Rose Marie—Crawford-Murray	Feb. 11
839	The Big City—Chaney-Compson	Feb. 18
855	The Enemy—Gish-Forbes	Feb. 18
816	Smart Set—Haines-Day	Feb. 25
841	The Crowd—Boardman-Murray	Mar. 3
828	The Patsy—Marion Davies	Mar. 10
819	Bringing Up Father—McDonald-Moran...	Mar. 17
802	Under the Black Eagle—R. Forbes.....	Mar. 24
848	Wyoming—McCoy-Sebastian	Mar. 24
813	Circus Rookies—Dane-Arthur	Mar. 31
830	Across to Singapore—Novarro-Crawford....	Apr. 7
840	Laugh, Clown, Laugh—L. Chaney	Apr. 14
849	Riders of the Dark—Tim McCoy.....	Apr. 21
824	The Actress—N. Shearer	Apr. 28
822	Diamond Handcuffs—E. Boardman-C. Nagel...	May 5
842	The Cossacks—J. Gilbert-R. Adoree	May 12
852	Skirts—Syd. Chaplin-B. Balfour	May 19
814	Detectives—K. Dane-G. Arthur	May 26
730	Forbidden Hours—R. Novarro-R. Adoree....	June 2
806	Mile. From Armentieres—E. Brody-J. Stuart...	June 9

Tiffany-Stahl Features

Jan. 1—	"A Woman Against the World"—Harrison Ford	
	The Tragedy of Youth—W. Baxter-R. Miller....	Jan. 15
	The Devil's Skipper—Belle Bennett-M. Love....	Feb. 1
	Nameless Men—A. Moreno-C. Windsor	Feb. 15
	Their Hour—J. Harron-D. Sebastian	Mar. 1
	Bachelor's Paradise—S. O'Neil-R. Graves.....	Mar. 15
	House of Scandal—D. Sebastian-P. O'Malley....	Apr. 1
	The Scarlet Dove—R. Frazer-J. Borio	Apr. 15
	Clothes Make the Woman—Southern-Pidgeon...	May 1
	Ladies of the Nightclub—B. Leonard-R. Cortez...	May 15
	Lingerie—Not announced	June 1

Paramount Features

Jan. 7—	2772—"Beau Sabreur".....	Gary Cooper
2705	Wife Savers—Beery-Hatton	Jan. 7
2741	Love and Learn—E. Ralston-L. Chandler....	Jan. 14
Jan. 21—	2713—"The Pioneer Scout".....	Fred Thomson
2785	The Last Command—E. Jannings.....	Jan. 21
2784	Gentlemen Prefer Blondes—Taylor-White....	Jan. 28
2751	Peaks of Destiny—U. F. A.	Jan. 28
2745	The Secret Hour—Negri-Hersholt.....	Feb. 4
2754	Under the Tonto Rim—Arlen-Brian....	Feb. 4
2717	Sporting Goods—R. Dix.....	Feb. 11
2737	Doomsday—F. Vidor.....	Feb. 18
2761	The Showdown—Geo. Bancroft-E. Brent.....	Feb. 25
2727	Feel My Pulse—B. Daniels	Feb. 25
2783	Tillie's Punctured Romance—Fields....	Mar. 3
2786	Old Ironsides—W. Beery-E. Ralston....	Mar. 3
2708	Red Hair—Clara Bow	Mar. 10
2787	The Legion of the Condemned—Cooper.....	Mar. 10
2703	Partners in Crime—Beery-Hatton.....	Mar. 17
2742	Something Always Happens—Ralston....	Mar. 24
2750	Adventure Mad—U. F. A. Prod.....	Mar. 31
2789	Speedy—Harold Lloyd	Apr. 7
2733	A Night of Mystery—A. Menjou	Apr. 7
2746	Three Sinners—P. Negri-W. Baxter.....	Apr. 14
2714	Sunset Legion—Fred Thomson.....	Apr. 21
2718	Easy Come, Easy Go—R. Dix	Apr. 21
2712	Fools for Luck—W. C. Fields-C. Conklin....	May 5
2728	The Fifty-Fifty Girl—B. Daniels	May 12
2704	4th—Beery-Hatton	May 19
2762	The Drag Net—Geo. Bancroft-E. Brent....	May 26
2738	The Magnificent Flirt—F. Vidor	June 2
2782	The Street of Sin—E. Jannings	June 9
2723	The Racket—T. Meighan	June 9
2743	Free, White and 21 (tent)—E. Ralston....	June 16
2755	Vanishing Pioneer—J. Holt-S. Blane.....	June 23
2709	Ladies of the Mob—C. Bow	June 30

Pathe Features

1178	Laddie Be Good—Bill Cody	Jan. 1
1191	The Ballyhoo Buster—Buffalo Bill, Jr.....	Jan. 8
1199	Desperate Courage—Wally Wales	Jan. 15
1230	A Perfect Gentleman—Monty Banks.....	Jan. 15
1183	What Price Beauty—Nita Naldi	Jan. 22
1208	Boss of the Rustler's Roost—Don Coleman...	Jan. 22
1251	The Cowboy Cavalier—Buddy Roosevelt....	Jan. 29
1234	Crashing Thru—Jack Padjan	Feb. 5
1206	The Apache Raider—Leo Maloney	Feb. 12
1192	Valley of Hunted Man—Buffalo Bill, Jr....	Feb. 19
1209	The Bronc Stomper—Don Coleman....	Feb. 26
1224	Marlie the Man-Killer—Dog Picture....	Mar. 4
1200	Saddle Mates—Wally Wales.....	Mar. 11
1217	The Bullet Mark—Jack Donovan	Mar. 25
1210	The Black Ace—Don Coleman.....	Apr. 8
1225	The Law's Lash—Dog Picture.....	Apr. 15
1225	The Avenging Shadow—Dog "Klondike"....	Apr. 29

Pathe-deMille Features

320	On to Reno—Marie Prevost	Jan. 1
314	Let 'er Go Gallagher—Jr. Coghlan.....	Jan. 16
304	The Leopard Lady—Jacqueline Logan.....	Jan. 25
323	The Night Flyer—William Boyd.....	Feb. 5
336	Chicago—P. Haver-V. Varconi.....	Feb. 12
321	Stand and Deliver—Rod LaRocque.....	Feb. 20
325	A Blonde for a Night—Marie Prevost....	Feb. 27
334	The Blue Danube—Leatrice Joy	Mar. 12
324	Midnight Madness—Logan-Brooks	Mar. 26
309	The Sky Scraper—William Boyd	Apr. 9
317	His Country—R. Schildkraut.....	Apr. 23
311	Walking Back—Sue Carol	May 6
333	Hold 'Em, Yale—Rod LaRocque.....	May 12

Rayart Features

The Painted Trail—B. Roosevelt.....	Feb.
Trailin' Back—B. Roosevelt	Mar.
The Danger Patrol—Wm. Russell-V. B. Faire.....	Apr.
Trail Riders—B. Roosevelt	Apr.
A Midnight Adventure—C. Landis-E. Murphy.....	May
The Lightnin' Shot—B. Roosevelt	May
The Branded Man—C. Delaney-J. Marlowe.....	May
The Devil's Tower—B. Roosevelt	June
Mystery Valley—B. Roosevelt	July

Sterling Features

Burning Up Broadway—H. Costello-R. Frazer..	Jan. 30
Marry the Girl—B. Bedford-Bob Ellis.....	Mar. 1
A Million for Love—R. Howes-J.-Duncan-M. Carr.	May 1
It Might Happen to Any Girl.....	not announced
Undressed	Notannounced

Universal Features

A5724 That's My Daddy—Denny	Feb. 5
A5702 Finders Keepers—L. LaPlante	Feb. 5
A5698 The Shield of Honor—All Star.....	Feb. 19
A5701 Midnight Rose—DePutti-Harlan.....	Feb. 26
A5705 Surrender—Philbin-Mosjukine	Mar. 4
A5707 Stop That Man!—All Star	Mar. 11
A5703 A Trick of Hearts—Hoot Gibson.....	Mar. 18
A5712 Thanks for the Buggy Ride—LaPlante.....	Apr. 1
A5714 13 Washington Square—All Star	Apr. 8
A5725 Good Morning, Judge—Denny	Apr. 29
A5715 We Americans—All Star	May 6
A5699 Hot Heels—G. Tyron	May 13
A5713 The Wild West Show—Gibson	June 20
A5711 Buck Privates—DePutti	June 3
A5720 The Count of Ten—Ray-Ralston.....	June 17

United Artists

The Gaucho—Douglas Fairbanks	Jan. 1
Sadie Thompson—Gloria Swanson.....	Jan. 7
The Garden of Eden—Corrine Griffith.....	Feb. 4
Ramona—Dolores Del Rio	Feb. 11
Two Lovers—Ronald Colman-V. Banky.....	not set
Tempest—John Barrymore	not set
Steamboat Bill, Jr.—Buster Keaton	not set
Hell's Angels—Ben Lyon-Greta Nissen.....	not set
A Woman Disputed—Norma Talmadge.....	not set
Drums of Love—M. Philbin-L. Barrymore.....	Apr. 8

Warner Features

The Fortune Hunter—Syd Chaplin.....	Nov. 7
217 The Silver Slave—Irene Rich.....	Nov. 19
196 Ginsberg the Great—Geo. Jessel.....	Nov. 26
207 Brass Knuckles—Monte Blue	Dec. 3
215 If I Were Single—May McAvoy.....	Dec. 17
189 Ham and Eggs at the Front—Wilson-Conklin.....	Dec. 24
199 Husbands for Rent—Moore-Costello.....	Dec. 31
200 Beware of Married Men—Irene Rich.....	Jan. 14
216 A Race for Life—Rin-Tin-Tin	Jan. 26
206 The Little Snob—May McAvoy	Feb. 11
193 Across the Atlantic—Monte Blue.....	Feb. 25
192 Powder My Back—Irene Rich.....	Mar. 10
202 Domestic Troubles—Cook-Fazenda	Mar. 24
213 The Crimson City—Loy-Miljan	Apr. 7
201 Five and Ten Cent Annie	Apr. 21
209 Rinty of the Desert—Rin-Tin-Tin	May 3
211 Pay As You Enter—Fazenda-Cook	May 19

Extended Runs

The Jazz Singer—Al. Jolson	
Black Ivory—Monte Blue	
Noah's Ark—Dolores Costello	
Glorious Betsy—Dolores Costello	
Tenderloin—Dolores Costello	
The Lion and the Mouse—McAvoy-L. Barrymore.....	

RELEASE SCHEDULE FOR COMEDIES**Educational—One Reel**

Felix the Cat in Comicalamities.....	Apr. 1
Green-Eyed Love—Geo. Hall-Cameo	Apr. 8
Felix the Cat in Sure-Lock Homes.....	Apr. 15

Off Balance—Monty Collins-Cameo.....	Apr. 22
Felix the Cat in Eskimotive.....	Apr. 29
Never Too Late—W. Lupino-Cameo	May 6
Felix the Cat in Arabianics.....	May 13
Three Tough Onions—M. Collins-Cameo.....	May 20
Felix the Cat in In- and Out-Laws.....	May 27

Educational—Two Reels

Listen Sister—Lupino Lane	Mar. 26
Whoozit—Bowers	Apr. 1
No Fare—Big Boy-Juvenile	Apr. 8
Kitchen Talent—Geo. Davis-Mermaid	Apr. 15
Blazing Away—Hamilton	Apr. 22
Slippery Head—Johnny Arthur-Tuxedo	Apr. 29
Fandango—Lupino Lane	May 6
At It Again—M. Collins-Mermaid	May 13
You'll Be Sorry—Bowers	May 20
Navy Beans—Big Boy-Juvenile	May 27

Fox—One Reel

Jungles of the Amazon	Feb. 5
Ship Ahoy!	Feb. 19
The Vintage	Mar. 4
The Desert Blooms	Mar. 18
On a South Sea Shore	Apr. 1
America's Ittle Lamb	Apr. 15
Spanish Influence	Apr. 29
Sea Breezes	May 13
Lords of the Back Fence	May 27
Thar She Blows	June 10
The Dude Ranch	June 24

Fox—Two Reels

Hold Your Hat—Imperial	Jan. 15
Love Is Blonde—Imperial	Feb. 26
Too Many Cookies—Van Bibber	Mar. 11
The Polecat's Pajamas—Animal	Mar. 25
Old Wives Who Knew—Imperial	Apr. 8
T. Bone For Two—Van Bibber	Apr. 22
A Lady Lion—Animal	May 13
Jack and Jilted—Imperial	May 27
A Knight of Daze—Van Bibber	June 10
A Cow's Husband—Animal	June 24

F. B. O.—One Reel

Newsflaff	Feb. 5
Newsflaff	Feb. 19
Newsflaff	Mar. 5
Newsflaff	Mar. 19
Newsflaff	Apr. 2
Newsflaff	Apr. 16
Newsflaff	Apr. 30
Newsflaff	May 14
Newsflaff	May 28
Newsflaff	June 11

F. B. O.—Two Reels

Rah! Rah! Rexie—Karnival	Feb. 20
Too Many Hisses—Karnival	Mar. 5
Top Pats—Karnival	Mar. 19
Are Husbands People—Karnival	Apr. 2
My Kingdom For a Hearse—Karnival.....	Apr. 16
After the Squall Is Over—Karnival.....	Apr. 30
Mickey's Wild West—Mickey McGuire.....	May 7
Restless Bachelors—Karnival	May 14
Big Bertha—Standard	May 28
Silk Sock Hal—Karnival	June 4
Mickey in Love—Mickey McGuire.....	June 11
Heavy Infants—Standard	June 11
Come Meal—Karnival	June 11
Almost a Gentleman—Karnival	June 25
Mickey's Triumph—Mickey McGuire	July 2

Metro-Goldwyn-Mayer—One Reel

Sanctuary—Oddity	May 5
Golden Fleeces—Oddity	May 19
Tokens of Manhood—Oddity	June 2
Palace of Honey—Oddity	June 16
Sleeping Death—Oddity	June 30

Metro-Goldwyn-Mayer—Two Reels

Limousine Love—Chase	Apr. 14
Your Darn Tootin'—Stars	Apr. 21

Tell It to the Judge—Davidson	Apr. 28
Fair and Muddy—Gang	May 5
The Virgin Queen—Events	May 12
The Kid's First Fight—Chase	May 12
Their Purple Moment—Stars	May 19
Crazy House—Gang	June 2
Cleopatra—Events	July 7

Paramount—One Reel

Love Sunk—Krazy Kat	Mar. 24
Koko's Earth Control—Inkwell Imps.	Mar. 31
Tong Tied—Krazy Kat	Apr. 7
Koko's Hot Dog—Inkwell Imps	Apr. 14
A Bum Steer—Krazy Kat	Apr. 21
Koko's Haunted House—Inkwell Imps.	Apr. 28
Gold Bricks—Krazy Kat	May 5
Koko Lamps Aladdin—Inkwell Imp.	May 12
The Long Count—Krazy Kat	May 19
Koko Squeals—Inkwell Imps	May 26
The Patent Medicine Kid—Krazy Kat.	June 2
Koko's Field Daze—Inkwell Imps	June 9
Stage Coached—Krazy Kat	June 16
Koko Goes Over—Inkwell Imps	June 23
The Rain Dropper—Krazy Kat	June 30

Paramount—Two Reels

Cruising the Arctic—Novelty	May 5
Love's Young Scream—Christie	May 12
Horse Shy—Horton	May 19
A Gallant Gob—Dooley	May 26
Hold 'Er Cowboy—Vernon	June 2
Say Uncle—Christie-Duffy	June 9
Slippery Heels—Adams	June 16
Alice in Movieland (tent)—Novelty	June 23
Scrambled Weddings—Horton	June 30

Universal—One Reel

Sagebrush Sadie—Oswald Cartoon	Apr. 2
Ride 'Em Plowboy—Oswald Cartoon	Apr. 16
Ozzie of the Mounted—Oswald Cartoon.	Apr. 30
Money! Money! Money!—Hall-Har. Highbrow.	May 7
Hungry Hoboes—Oswald Cartoon	May 14
Summer Knights—Lake Drugstore	May 21
Oh! What a Knight—Oswald Cartoon.	May 28
The Trickster—Hall-Harold Highbrow.	June 4

Universal—Two Reels

A Big Bluff—Stern Bros.	May 2
Newlywed's Imagination—Jr. Jewels.	May 3
Sailor George—Stern Bros.	May 9
Women Chasers—Stern Bros.	May 16
Buster's Whippet Race—Stern Bros.	May 23
George's School Days—Stern Bros.	June 4
Who's Wife—Stern Bros.	June 6
A Full House—Stern Bros.	June 13
George Meets George—Stern Bros.	June 20

NEW YORK RELEASE DATES OF THE DIFFERENT NEWS WEEKLIES

Fox

50 Even Number	Saturday, Mar. 17
51 Odd Number	Wednesday, Mar. 21
52 Even Number	Saturday, Mar. 24
53 Odd Number	Wednesday, Mar. 28
54 Even Number	Saturday, Mar. 31
55 Odd Number	Wednesday, Apr. 4
56 Even Number	Saturday, Apr. 7
57 Odd Number	Wednesday, Apr. 11
58 Even Number	Saturday, Apr. 14
59 Odd Number	Wednesday, Apr. 18
60 Even Number	Saturday, Apr. 21
61 Odd Number	Wednesday, Apr. 25
62 Even Number	Saturday, Apr. 28
63 Odd Number	Wednesday, May 2
64 Even Number	Saturday, May 5
65 Odd Number	Wednesday, May 9

International

22 Even Number	Saturday, Mar. 17
23 Odd Number	Wednesday, Mar. 21
24 Even Number	Saturday, Mar. 24
25 Odd Number	Wednesday, Mar. 28

26 Even Number	Saturday, Mar. 31
27 Odd Number	Wednesday, Apr. 4
28 Even Number	Saturday, Apr. 7
29 Odd Number	Wednesday, Apr. 11
30 Even Number	Saturday, Apr. 14
31 Odd Number	Wednesday, Apr. 18
32 Even Number	Saturday, Apr. 21
33 Odd Number	Wednesday, Apr. 25
34 Even Number	Saturday, Apr. 28
35 Odd Number	Wednesday, May 2
36 Even Number	Saturday, May 5
37 Odd Number	Wednesday, May 9

Kinograms

5379 Odd Number	Saturday, Mar. 17
5380 Even Number	Wednesday, Mar. 21
5381 Odd Number	Saturday, Mar. 24
5382 Even Number	Wednesday, Mar. 28
5383 Odd Number	Saturday, Mar. 31
5384 Even Number	Wednesday, Apr. 4
5385 Odd Number	Saturday, Apr. 7
5386 Even Number	Wednesday, Apr. 11
5387 Odd Number	Saturday, Apr. 14
5388 Even Number	Wednesday, Apr. 18
5389 Odd Number	Saturday, Apr. 21
5390 Even Number	Wednesday, Apr. 25
5391 Odd Number	Saturday, Apr. 28
5392 Even Number	Wednesday, May 2
5393 Odd Number	Saturday, May 5
5394 Even Number	Wednesday, May 9

Pathe

25 Odd Number	Saturday, Mar. 17
26 Even Number	Wednesday, Mar. 21
27 Odd Number	Saturday, Mar. 24
28 Even Number	Wednesday, Mar. 28
29 Odd Number	Saturday, Mar. 31
30 Even Number	Wednesday, Apr. 4
31 Odd Number	Saturday, Apr. 7
32 Even Number	Wednesday, Apr. 11
33 Odd Number	Saturday, Apr. 14
34 Even Number	Wednesday, Apr. 18
35 Odd Number	Saturday, Apr. 21
36 Even Number	Wednesday, Apr. 25
37 Odd Number	Saturday, Apr. 28
38 Even Number	Wednesday, May 2
39 Odd Number	Saturday, May 5
40 Even Number	Wednesday, May 9

Metro-Goldwyn-Mayer

62 Even Number	Saturday, Mar. 17
63 Odd Number	Wednesday, Mar. 21
64 Even Number	Saturday, Mar. 24
65 Odd Number	Wednesday, Mar. 28
66 Even Number	Saturday, Mar. 31
67 Odd Number	Wednesday, Apr. 4
68 Even Number	Saturday, Apr. 7
69 Odd Number	Wednesday, Apr. 11
70 Even Number	Saturday, Apr. 14
71 Odd Number	Wednesday, Apr. 18
72 Even Number	Saturday, Apr. 21
73 Odd Number	Wednesday, Apr. 25
74 Even Number	Saturday, Apr. 28
75 Odd Number	Wednesday, May 2
76 Even Number	Saturday, May 5
77 Odd Number	Wednesday, May 9

Paramount

67 Odd Number	Saturday, Mar. 17
68 Even Number	Wednesday, Mar. 21
69 Odd Number	Saturday, Mar. 24
70 Even Number	Wednesday, Mar. 28
71 Odd Number	Saturday, Mar. 31
72 Even Number	Wednesday, Apr. 4
73 Odd Number	Saturday, Apr. 7
74 Even Number	Wednesday, Apr. 11
75 Odd Number	Saturday, Apr. 14
76 Even Number	Wednesday, Apr. 18
77 Odd Number	Saturday, Apr. 21
78 Even Number	Wednesday, Apr. 25
79 Odd Number	Saturday, Apr. 28
80 Even Number	Wednesday, May 2
81 Odd Number	Saturday, May 5
82 Even Number	Wednesday, May 9

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Posses-	
sions	12.00
Canada and Mexico..	12.00
England and New	
Zealand	14.50
Other Foreign Coun-	
tries	16.50
25c. a Copy	

1440 BROADWAY

New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It Is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, APRIL 21, 1928

No. 16

QUESTIONS IN ARBITRATION

Often an exchangeman, in order either to frighten an exhibitor into settling a controversy his, the exchangemn's, way or to influence the exhibitor arbitrators into voting in his favor, asserts that all arbitration boards in the East have voted his way in cases of similar nature. He does not mention specific cases; he makes only general, unsubstantiated statements.

In many instances the exchangeman succeeds in gaining his object.

For your information, let me say that a decision of a foreign arbitration board in a case of a certain nature is not binding on the arbitrators of your zone. The arbitrators may study the foreign case so that they might learn the reasoning the arbitrators used in order to arrive at their conclusions; but they are in no way obligated to follow the precedent established in another zone. Each arbitration board is a unit; the sole aim of the members should be to study their own case and to render an impartial award (if that is possible under the system that arbitration is conducted in his industry) regardless of how the arbitrators of another zone have voted in a similar case.

I am bringing this matter to your attention for this reason: The Hays organization, which controls the mechanics of arbitration, in some cases with knowledge and consent of the exhibitor organization executives and in some cases without their consent, being powerless to nullify its influence, is able to relay to the exchangemen arbitrators all important decisions that have been made in other territories. It takes such a step so as to keep its arbitrators well informed and so to groom them to battle the exhibitor arbitrators. On the other hand, the exhibitor arbitrators have no intercommunicating system; they must render their decisions unaided and unguided by the decisions of other arbitration boards. To allow the exchanges, then, to make an effort to influence the exhibitor arbitrators by citing such foreign cases when the awards in the foreign cases have nothing to do with the case on hand is equal to letting them get away with "murder."

Don't let them bluff you! If an exchangeman should make the assertion that a similar case to yours was decided in favor of the exchanges in other zones, you should tell him that the other zone is not your zone, and that you are not concerned how a similar case was decided there. Insist that your case be tried on its own merits.

* * *

There have been brought to the attention of this paper lately cases where awards were made without the presence of the exhibitor-party to the arbitration agreement. In other words, the arbi-

tration board rendered a judgment by default. This matter was treated in these columns once before, in the issue of November 27, 1926. But because of its importance, I am treating of it again:

A judgment by default is illegal and makes the arbitrators liable to a suit for damages, and even for conspiracy in restraint of trade, for the reason that the case is not tried in accordance with the New York State law, which governs arbitration in this industry. The New York State law specifies as follows:

"Section 3. *Remedy in case of default.* A party aggrieved by the failure, neglect or refusal to perform under a contract or submission providing for arbitration, described in Section 2 hereof, may petition the supreme court, or a judge thereof, for an order directing that such arbitration proceed in the manner provided for in such contract or submission. Eight days' notice in writing of such application shall be served upon the party in default. Service thereof shall be made in the manner provided by law for personal service of a summons. The court, or a judge thereof, shall hear the parties, and upon being satisfied that the making of the contract or submission or the failure to comply therewith is not an issue, the court or the judge thereof, hearing such application, shall make an order directing the parties to proceed to arbitration in accordance with the terms of the contract or submission...."

In other words, if you, when you are asked to appear before a board of arbitration to arbitrate a difference that might have arisen between you and an exchange with which you have a contract, fail to appear, the only way for the aggrieved exchange to force you to arbitrate is to petition the supreme court for an order directing you to appear so that the dispute may be arbitrated in accordance with the rules in force in the motion picture industry. The summons must be served on you in accordance with the law, and eight days' grace must be given you from the time the summons was served to the day of the hearing.

The case is heard, and the award is made. If the award is against you and you refuse to abide by it, the arbitration board must record it with the county clerk. Then and only then may such award become a judgment, collectible by the sheriff, in accordance with the process provided by the law. Any other procedure is illegal.

The imposition of penalties in case a party to and arbitration agreement refuses to abide by the arbitration board's award is another serious matter in the system of arbitration in this industry. Many lawyers have declared this system a con-

(Continued on last page)

"Broadway Daddies"—with Jacqueline Logan, Rex Lease and Alec B. Francis

(Columbia, April 7; 5,400 ft.; 62 to 77 min.)

A pretty fair drama, revolving around a chorus girl, and around the attempts of a wealthy man to possess her. She meets and falls in love with a young man (hero), son of a wealthy father; but he does not reveal to her the fact that he is wealthy, preferring that she love him for himself and not for his riches. Misunderstandings creep in between them, bringing about a temporary break in their love affair. At one time the hero thinks that the heroine had been a bad girl, because he had seen her in the company of the wealthy man, during a wild party this man had given for her. But in the end it becomes clear to the hero and to the hero's father that she was as good as a diamond. Even the wealthy rouse had to acknowledge that he had misjudged her, telling the hero's father that he owed her an apology.

There is nothing extraordinary about the story, but it succeeds in holding the interest fairly tight and in awakening some sympathy for the hero as well as for the heroine. Mr. Lease makes a good hero; Miss Logan does well as the heroine. Alec B. Francis is good as the hero's father. Phillip Smalley takes the part of the wealthy man. Clarissa Selwynne, Betty Francisco, DeSacia Moores and others are in the cast.

The plot has been founded on a story by Victoria Moore; it has been directed by Fred Windermere.

"The Desert Bride"—with Betty Compson and Allan Forrest

(Columbia, March 26; 5,425 ft.; 63 to 77 min.)

Not a bad program picture, unfolding among Arabs, and showing their machinations for revolt against the French, their rulers. There are several situations in which the spectator is held in pretty tense suspense. These are found mostly towards the end, where the hero, attached to the Intelligence Department, upon learning that the Arabs were about to receive a shipment of rifles and ammunition, disguises himself as an Arab and tries to find out where the rifles are to come from or where they had been hidden. The situation which shows the hero attending the secret meeting of the Arabs and being apprehended by them is still more suspenseful. The suspense is sustained also in the later scenes, where the heroine had been made a prisoner by the Arab leader, a man who posed to the French as their friend, and where the hero tries to rescue her and to save himself, too. The closing scenes, showing the French battering down the Arab leader's home and rescuing the hero and the heroine, the information having reached them when the heroine threw a note out of the window to an American soldier in the service of the French, offer pretty strong thrills.

The plot has been founded on the story by Ewart Adamson. It has been directed by Walter Lang. Edward Martindel, Otto Matiesen, Rosco Karns, Frank Austin and others are in the cast.

"Tenderloin"—with Dolores Costello and Conrad Nagel

(Warner Bros. Extended Run Prod., April 28; 6,800 ft.)

It has been produced well but its appealing qualities are mediocre. The chief trouble seems to lie in the part the hero plays. He is a crook; and it is hard for crooks to arouse one's sympathy. In this instance, however, things are made worse by the fact that the hero is not only a crook but also a liar; he leads the heroine to believe that he loves her when he did not; his main object was to exact from her some information, which he thought she had. It is true that he becomes regenerated in the end, but even his regeneration fails to bring much sympathy for him. Miss Costello arouses sympathy because of her good acting as well as of her sympathetic part. Though innocent, she becomes involved with the police authorities and is hounded by them. In two places the vitaphone is used, making the characters talk. One of such places is where the heroine is subjected to the third degree. The other is towards the end, where the heroine and the hero are shown in the country, married and happy, visited by two of the hero's former confederates. In the third-degree scenes, the talking is so natural that it creates a deep impression. Whether, however, the picture-goers will accept the voice in preference to the silent expression is problematical.

The plot, which has been founded on a story by Melville Crossman and has been directed by Michael Curtiz, deals with a heroine, a chorus girl in an underworld cabaret, who falls in love with a young crook, but who, although he did

not love her, made her believe that he loved her. She was unaware of the fact that he was a member of a band of bank robbers. While paying her a visit in her apartment, he makes an insulting proposal to her. She strikes him on the head with a clock and fells him. She runs away. She finds a moneybag in the street and takes it with her. She rents a room in a place she thought to be a hotel, but when the vice squad raids it she realizes it was a dive. She is arrested. When the bag is found in her suitcase, the police think she is a confederate of the bank robbers, who had thrown the bag away while being chased by the police. The bag is opened; it is found that it contained old newspapers.

There are more complications, in which the hero is shown as making love to the heroine, his purpose being to find out what had become of the money. In the end, however, it is shown that the hero had really fallen in love with her and married her.

"A Night of Mystery"—with Aolph Menjou

(Param., April 7; 5,741 ft.; 66 to 82 min.)

Nothing to it; the story is mechanical, and the role of Mr. Menjou arouses little sympathy. The part makes Mr. Menjou appear as a wooden actor, his movements being guided by the author, who one feels is somewhere telling the hero what to do, what to say and how to act in given circumstances.

The story is supposedly that of a self-sacrificing hero: the brother of the girl he, captain in the French Army, loved, was arrested for a murder he had not committed. Circumstantial evidence, however, was so strong against him that he is convicted for murder in the first degree and sentenced to hang. The hero knew the young man was innocent, because he had been an eye-witness of the murder; but because his confession would have implicated the wife of the judge, on account of the fact that the murderer would have told the judge that he, the hero, had been seen coming out of his, the judge's house at one o'clock after midnight, the hero decided to assume the guilt of the murder himself and, after confessing, to commit suicide rather than brand his friend's wife for life. Things, however, so turn out that the young man is saved from the gallows, the hero does not commit suicide, and the woman in the case keeps her reputation.

The plot has been founded on the play, 'Captain Ferreol,' by Victorien Sardou; it has been directed by Lothar Mendes. Nora Lane takes the part of the hero's sweetheart, William Collier, Jr., that of the sweetheart's young brother, and Evelyn Brent that of the judge's wife.

"Tillie's Punctured Romance"—with An All-Star Cast

(Paramount, March 3; 5,733 ft.; 67 to 82 min.)

The picture has been directed by a first-class director, and acted by a first-class cast; but the entertaining values are not very high. It is not a bad farce comedy, but it is nothing extraordinary. Most of the comedy occurs at the war front, where the two heroes, Chester Conklin and W. C. Fields, go with their circus, prompted by the patriotic feeling of entertaining those who were to fight; and later where they are seen falling into the hands of the Germans and posing as Germans in order to avoid being put against the wall and shot. And in these scenes, the most laughable are those that show the lions breaking away from their cages and entering the trenches, frightening the fighters.

Whatever plot there is to it, it shows Mack Swain, an American of German descent, seeking to find the man (Chester Conklin) that had, many years before, stolen his wife, and shortly afterwards, during a wintry day, leaving their child on his doorstep. This child (heroine) grows up to womanhood. Before the United States entered the war, the German-American leaves America and goes back to Germany; he joins the Army with his rank. At the front, he discovers Mr. Conklin and proceeds to revenge himself upon him. Mr. Conklin, however, is able to rescue himself from his hands one time after another.

The picture has been produced by Al Christie at a probable expense of \$400,000; it has been directed by Edward Sutherland. Louise Fazenda is Tillie. W. C. Fields the villainous ringmaster. Chester Conklin is the liontamer, without his well known mustache at first, with it later. Mack Swain does well as the German General. Doris Hill, Grant Withers, Tom Kennedy, Kalla Pasha, Mickey Bennett and others are in the cast.

"Midnight Madness"—with Jacqueline Logan and Clive Brooks

(*Pathé-DeMille*, March 26; 5,659 ft.; 65 to 80 min.)

This picture is not only boresome but irritating, for the reason that one is compelled to watch a heroine whose acts at times do not mean anything and at times betray altogether lack of character. To begin with, no one likes a woman who accepts a position that calls for getting information out of a person to the detriment of his interests; in real life we call such persons sneaks and double-crossers, no matter whether they are men or women. Following this, the heroine upbraids the hero because he, after their marriage, had not taken her to South Africa on a first-class ticket, but on a second class, and had taken her to an old shack out in the wilderness instead of to a fine hotel in civilization. She would have a cause for complaint if she had been used to the fine things of life; but she had been living in a dingy room, back of a shooting gallery, had a father who drank all the time and had not been shown to have done a day's work in his life, and she had been pounding on a typewriter for a living. All the way through the picture Miss Logan is unsympathetic. Clive Brooks, too, fails to arouse any sympathy, for the reason that he appears as a weakling; one cannot forgive him for having tolerated a woman such as the heroine is shown to be, and for having been patient with her until he had won her love. The plot has been founded on the story "The Lion Trap," by Daniel Nathan Rubin; it has been directed by F. Harmon Weight.

It is the story of a diamond merchant from South Africa who meets the heroine and, having fallen in love with her, proposes. She accepts his marriage proposal with the intention of getting for her employer, who had paid her for it, information as to where his diamond mines were located. He overhears her telling that she would marry him for whatever she could get out of him and is heart-broken. He marries her and takes her to South Africa to an old shack instead of to a fine hotel. She upbraids him and demands that he send her back to civilization. In the end, the hero succeeds in taming her.

This picture is an example of how money could be thrown away.

"The Street Angel"—with Janet Gaynor and Charles Farrell

(*Fox Superspecial*; 9,221 ft.; to be released next Fall.)

A powerful drama, unfolding in Naples, Italy, and revolving around a young man and a young woman, who loved each other passionately. From the point of view of direction and acting it is a masterpiece—one that should form a model for other directors. Mr. Borzage seems to possess the touch of Murnau; if one, in fact, did not know who had directed it, one would feel positive that it had come out of the hands of director Murnau. There is feeling in the acting of all the characters, particularly in that of Janet Gaynor and of Charles Farrell. Miss Gaynor, one may be sure, has never done better work in her short screen career. She and Mr. Farrell make an excellent pair of screen players. The scenes where the heroine is shown being confronted with the Carabineer, who had recognized her as a fugitive from justice and followed her to her home to arrest her; the scenes that follow, which show her spending a last hour, granted her by the Carabineer at her pleadings, the hero being unaware of the fact that she was to leave him to go to jail to serve her sentence of one year, which had been imposed on her for attempted robbery while soliciting; the distraction of the hero, who, when he woke up in the morning, found the heroine missing and was unable to explain her absence; their meeting at the waterfront a year later, when the heroine came out of jail and was unable to find the hero; the hero's overtaking her when she, fearful lest the hero, who did not know the cause of her absence and had taken the wrong viewpoint, ran into the church, seeking sanctuary; the sight of the hero's painting, which represented the heroine as a Madonna, hanging over the altar and bringing about an immediate change in the feeling of the hero towards the heroine—all these are so presented as to leave an indelible impression on one's mind. It is not the direction or the acting alone; it is the combination of both, wrapped up with the soul of the director and of the players:—

Her mother being near death and having no money to engage a doctor, the heroine, a young Italian girl, decides to follow the example of a woman of the streets she happened to see, so as to obtain money by selling her body to

men. But she is so young that people do not take her seriously. She attempts to steal some money from a customer of a spaghetti stand, but is arrested; she is sentenced to one year in the workhouse for attempting to steal while "soliciting." While taken to jail she escapes. She joins a circus. The hero, an artist, meets the heroine and is so fascinated with her beauty that he obtains employment in the circus just to be near her. As time goes on the two fall desperately in love with each other. The hero paints the heroine, picturing her as a Madonna. During one of her stilt-walking performances, the heroine spies some carabinieri. The past arises before her like a ghost; she loses her balance and falls, injuring herself seriously. The hero takes her to a good doctor in Naples. The heroine is horrified at the thought that she might be detected by the police authorities. The hero rents a studio and starts painting. But he is unable to sell any of his paintings. Being desperately in need of funds, he sells his painting of the heroine, which he prized better than anything else in life. The buyer is so struck with it that he sets out to fake it and to pass it as the work of an old master. The heroine, while out purchasing food, is seen and recognized by the Carabineer from whose hands she had escaped. He follows her, knocks at the door and when she appears he puts her under arrest. She pleads with him to let her spend an hour with the hero, so that she might have an opportunity to slip out without the hero's becoming aware of where she was going, because she told the Carabineer that the thought of her going to jail would kill him. He consents to let her have one hour's time. She succeeds in leaving the hero unaware of her predicament. The following morning the hero is disconsolate at her disappearance. A year later she comes out of jail. One of her jailmates, who came out at the same time, meets the hero and tells him all about the heroine. Shortly afterwards the hero, in seeking in the waterfront a woman with the face of an angel but with the soul of a devil so that he might make a new painting, comes upon the heroine. The fire in his eyes so frightens her that she runs into a church to seek sanctuary. The hero follows her there. He is about to choke her when he sees his painting above the altar. The heroine is able to convince the hero that she is still what that painting represented. They embrace.

The plot has been founded on a story by Moncton Hoffé; it has been put into scenario form for director Frank Borzage by Marion Orth. Natalie Kingston, Guido Trento, Alberto Rabagliati, Henry Armetta and others are in the supporting cast. But of the supporting players, Mr. Armetta stands out the most. As the owner of the circus, Mr. Armetta steals the picture in a few of the situations wherein he appears. He acts in so peculiar a way as to cause laughter quite often.

"Street Angel" is truly a big picture.

"Simba"

(*M. P. Capitol Pictures Corp.*, no rel. date set; 8,000 ft.)

An instructive as well as entertaining travelogue of wild animal life, taken mostly in British East Africa. The title "Simba" means lion.

The first third of the picture or prologue covers the many years spent by Mr. and Mrs. Martin Johnson in the wilds of the east, shooting big game and photographing records for historical value. Some of it is done in technicolor, enhancing the natural beauty of the landscape.

The second third shows the life of the many animals—the varied-colored zebras, the long-necked giraffes, the swift-footed antelopes, the ostriches, the ponderous rhinoceri and hippotami, and the chattering baboons, most of them in daily fear of being devoured by lions, or of suffering from thirst in the dry season when no water-holes are available. There is also a thrilling scene of an otherwise peaceful elephant family in stampede, caused by a forest fire.

The last third deals with the Simba or lion; it shows how they stalk their food, taking what they want and leaving the rest for the hovering vultures. A native village, depending for its livelihood on the cattle it raises, fights periodically the onslaughts of the lions. One's admiration for the lion is aroused when after running twice from the spears, he holds his ground the third time and is lanced to death by the natives. A great celebration is held when the natives are freed from their deadly enemy for a short time, but they are soon again compelled to fight the foe.

"Simba" should appeal to all adults, because almost every rational and sound adult loves animals. But it should prove a great treat to children.

spiracy in restraint of trade, because of the concerted action of the exchanges. An exchange has the right to impose any conditions upon an exhibitor whom it has found unreliable, but the other exchanges, members of the film board of trade, break the law when they impose penalties for a dispute that does not concern them. It is perfectly legitimate even for these other exchanges to impose harsh conditions on an exhibitor for any contracts he may wish to make with them for product, but they break the law in imposing these conditions on existing contracts, when the exhibitor is living up to his obligations with them. If an aggrieved exhibitor should want to fight such a matter in the courts, it is my opinion that he can make things tough for the exchanges that took part in a dispute that did not concern them.

In the matter of judgments by default, I believe that a person against whom such a judgment has been rendered and has been, by the system of penalties (or additional securities, as they are called), forced to satisfy the amount of the judgment, has a cause also for civil action against any member or all the members, exchangemen and exhibitors, of the arbitration board. In other words, such an exhibitor can sue for damages.

I suggest to every exhibitor on the arbitration boards to consult his lawyer in order to avoid unpleasant consequences, for one cannot foresee what may happen in the future; some exhibitor may get extremely angry and invoke the law. The same suggestion is made to every one of you, too, to consult your lawyer in this matter so as to verify whether these deductions are correct or not, for if you should find that they are correct, you can take whatever action you may see fit in such cases.

If you should happen to be sitting as an arbitrator on a case where the exhibitor failed to appear, refuse to act on it. Do not sign any paper that the film board secretary may present you giving the exchange an award by inquest. The exhibitor arbitrators in this territory have steadfastly refused to sign such papers, because they know the consequences of such an act. An arbitration board is not a court of law; it can impose no penalties. All it can do is to render an award; and then, only if both parties to an arbitration agreement are present. If one of the parties is not present, then it is up to the aggrieved party to force the recalcitrant party to arbitrate through the process prescribed by the New York State Arbitration Act.

One other important matter that I desire to call your attention to is the habit of exchanges of using the arbitration boards as collection agencies. The collection of a debt is not the function of the arbitration board. If, for instance, you refuse to pay a bill to an exchange for some grievance or other, the exchange has no right to bring you before the board; and if it did bring you before it, the board has no right to render an award. The arbitrators are there to arbitrate, and not to penalize. And when they assume the authority to tell you that you must pay a debt, they undertake functions that are foreign to them. In the case of a debt, there is no dispute; you acknowledge the debt but for some reason you refuse to pay it or even cannot pay it. And since there is no dispute, there can be no arbitration.

Even if you did not acknowledge the debt, the grievance of the exchange has nothing to do with

a non-performance of a contract. The contract specifies that you must pay for the film at least three days in advance. When the exchange lets you have the film with the understanding that you pay for it at a later date, it waives its rights to that particular clause. And it cannot base a subsequent action on a clause that it itself has waived.

When you are summoned before a board on a non-arbitrable matter, you should refuse to appear before it. And if the taking of any steps should be threatened against you, communicate with this office.

I feel it my duty to bring these matters to your attention so as to acquaint you with your rights for the reason that arbitration, as it is now conducted in this industry, is, with but few exceptions, unjust and unfair. It is in the hands of the Hays organization and I feel that I should leave nothing undone for the protection of your interests, particularly if you are in a zone where the president of your organization has pledged to ride along with Pettijohn and Hays.

A CORRECTION

In last week's editorial it was stated that Welford Beaton is the owner of "The Film Mercury." This was a typographical error; Mr. Beaton publishes "The Film Spectator."

ABOUT "STAND AND DELIVER"

The Pathe-DeMille organization has informed me that they are retitling "Stand and Deliver" so as to remove the feature that is objectionable to the Greeks in that it cast a slur on the Greek nation.

The action of Joe Kennedy in this matter is highly commendable; he was prompt in giving orders for the retitling of the picture, even though it will mean the expenditure of a respectable sum of money.

THE EXPLOITS OF OUR FRIEND, CHARLIE CASH

Last week, in recounting the accomplishments of our friend, Charlie Cash Pettijohn, I said that he, as President of American Fiscal Corporation, manufactured and sold wall paper in the form of Selznick Stock certificates.

But there was another thing that he engaged in at the same time; he provided comedy entertainment.

In Allentown, Pennsylvania, he happened to come across the young son of an old jeweler.

The young man had more ambition than he could safely hold in him; he wanted to become a movie star.

Charlie promised to satisfy the young man's ambitions. He sent him west and Mr. Selznick gave him a minor part in a picture.

When the picture was completed, Charlie, as the President of American Fiscal Corporation, took it to Allentown, engaged a theatre, advertised it three weeks ahead of time as "the picture with the local talent," posted his stock selling hounds to the right and to the left of the theatre entrance, and started the picture on its engagement.

After the first day or so he let his stock selling dogs loose; and within a short time he was able to get thousands of dollars out of the people of Allentown, giving them the Selznick wall paper in return.

To some this was comedy; but to some, tragedy.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions	12.00
Canada and Mexico..	12.00
England and New Zealand	14.50
Other Foreign Countries	16.50
25c. a Copy	

1440 BROADWAY

New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, APRIL 28, 1928

No. 17

IF THE AMERICAN EXHIBITORS WOULD ONLY HAVE ACTED LIKE THE FRENCH STATESMEN!

I read a funny little dispatch in the New York papers last week; it said that the French officials, with whom Mr. Hays wanted to confer on the film situation, refused to receive Mr. Hays, telling him to go back to his hotel and to put into writing whatever he wanted to tell them.

It is manifest that the French statesmen have profited by the experience the American exhibitors have had with Mr. Hays. It seems as if some one has put them wise, and they are not taking any chances with him. They do not want speeches of confidence and co-operation; they want facts. And in writing. How profitable it would have been to you if your executives, too, had made Mr. Hays put everything in writing!

And by the way, it is evident that Mr. Hays left his slogan bag in America; he did not take it with him to Paris. But he did take his canned speeches, for in comparing those that were telegraphed to the American newspapers with those that he delivered in this country at various times, I found out that they were the same. The only unfortunate part of it is that the Frenchmen were wise to it; Mr. Hays could not fool them as he has fooled and is still fooling you.

The situation now stands thus: The French Parliament has passed a law creating a film commission and empowering it to protect the French Film Industry by forcing other nations to buy a certain number of French films for every certain number of foreign films taken into France.

When the supply of American films stopped, the French exhibitors protested to the French Government on the ground that they could not keep their theatres open without American films, for not enough French film are produced to take care of their needs, and those that are produced are not as popular with the French public as are the American pictures.

The French Government, the aim of which naturally is not to cause the French theatres to shut down, and which wants the revenue from the theatres just as well as it does from other sources, heeded their protests and allowed some American films to get in.

This situation will eventually cause the French Government to abandon the idea of discouraging the importation of American films, the chief aim of the Frenchmen, who want to help the French film industry; but they want to make the best bargain they can with Mr. Hays, who represents the American producers.

Mr. Hays naturally knows of this situation and will refuse to give in. But he may be compelled to

give in to a certain extent. He will then come back to the United States hailed as "The Victor." As a result, he will be fastened around your neck for another ten years.

Whatever concessions Will H. Hays may make to the French, it will be at your expense; for it will be you that will be forced to buy whatever French films he throws into the bargain.

In connection with this matter, let me print herewith a letter that I have received from an exhibitor, who desires that his name be suppressed:

* * *

"Reading of the English, French, and German quotas now being established, I am wondering just now how many English, French, and German pictures will be included in the 'blocks' that Paramount, Metro, and the rest of the Hays' companies will force on independent exhibitors.

"To sell pictures in England, Paramount, for example, will buy a certain number of English pictures, and attempt to get the cost back by including them in 'block selling' to the independent exhibitors. There is little chance of their daring to show them in their own houses; witness 'Tiptoes' and 'Lady Pompadour.' As they sell in Germany the block will include some more 'Peaks of Destiny' and 'Adventure Mad' atrocities. France will add a few more to the unaffiliated exhibitors' burdens and the whole affair will be multiplied by the number of companies with which they must do business.

"Personally I am thinking of having a rubber stamp made for use on all contracts at time of signing, said stamp will give me the right to cancel any picture not made in U. S. A. I am rather weary of pulling distributors' chestnuts out of the fire.

"If you care to pass this idea along editorially—before distributors include all this foreign junk in their 'blocks,' you are at liberty to do so and thereby add to your already long list of favors accorded your exhibitor subscribers."

* * *

There is not one of you, not a single American exhibitor, that cares where a film comes from—whether it is French, English, German, Chinese, or Timbuctooian; all you care about is pictures that will make you money and that will please your customers. But in looking over the foreign productions that were forced on you in the last two years, we find that only one picture made any money for you—"Variety," German made, released by Paramount. The others were all failures. But they were forced on you by Metro-Goldwyn and by Paramount, because it was the only way whereby they could close the UFA deal. UFA controls a large number of theatres in Ger-

(Continued on last page)

"The Little Yellow House"—with a Special Cast

(F. B. O., May 28; 6,402 ft.; 74 to 91 min.)

Good! It is a human-interest story, revolving around the memories a mother cherished about the little house in which she lived almost all her life, and where her children were born. She felt she would be unhappy anywhere else, and did not want to move, despite the pleadings of her wealthy but austere sister. The most pathetic situation is that which shows the father brought dead to the home of the sister, where the family had moved, after it gave up the little yellow house; the austere sister had told her brother-in-law that she would put him out of the house the first time he came home drunk. And she kept her word; the brother-in-law, while out in the street, is struck by an automobile and killed. The scenes where it is shown that the young man that loved the daughter (heroine) had bought the little yellow house and remodelled it, so that he might please the heroine's mother and make it attractive also for the heroine and thus induce her to marry him, too, are pathetic. It is shown that the heroine, who, having listened to the suggestions of her employer, a married man, had rented an apartment downtown and accepted presents from him, had been shocked when she found out that her employer's motives were not pure, returns home to her mother's arms, and to the arms of the man who loved her and was awaiting. Lucy Beaumont, as the mother; Wm. Orlamond, as the father; Martha Sleeper, as the daughter; Edward Peil, Jr., as the brother; Edyth Chapman, as the wealthy old woman; Orville Caldwell, as the hero; Freeman Wood, as the married man—all do good work. Edward Peil, Jr., deserves special mention; the wise-cracking young brother, he causes many laughs.

The story has been written by Beatrice Burton. It has been directed with skill by Leo Meehan, from an adaptation by Dorothy Yost and from a continuity by Charles Kerr.

It is a safe bet when shown as a program attraction.

"The Crimson City"—with Myrna Loy John Miljan, Sojin, Matthew Betz and Others

(Warner Bros., April 7; 5,338 ft.; 62 to 76 min.)

A pretty good melodrama, unfolding supposedly in Shanghai, China, and revolving around the love of a Chinese girl for a white man (hero) that had sunk to society's lowest strata, because of something that had weighed on his conscience. There is fairly warm human interest in many of the situations, the warmest being in the closing scenes, where the Chinese heroine gives up the hero, whom she loved and whom she had reclaimed, so that he might marry the white girl he loved; she felt that the difference in their races would make their union unhappy. There are several thrilling situations, these being the one that show the lives of the hero and of the heroine being in jeopardy as a result of the heroine's efforts to escape from the hands of her Chinese captor, who wanted to sell her to a wealthy Mandarin, and of her efforts to save the life of the hero, who had been kept a prisoner by the Chinaman. The action is somewhat slow in the first half, but it becomes fast in the second half, keeping the spectator in fairly tense suspense.

The plot has been founded on a story by Anthony Colde-way; it has been directed by Archie May. Anna May Wong, Leila Hyams, Anders Randolph, Richard Tucker and others are in the cast.

The story shows the hero being hunted by the police for embezzlement; although innocent, he could not prove his innocence. He longed for his sweetheart. A representative of the British police authorities arrives with the confession of the guilty man, seeking the hero to deliver the papers to him. But the villain, who wanted the heroine as a wife, manages to have the papers stolen, by using a Chinaman; he wanted to prevent the hero from being cleared of the charge against him. The Chinaman, by strange coincidence, uses the hero himself to steal the very papers that would

have proved his innocence. A Chinese girl (heroine), who had taken an interest in the hero and had reclaimed him, overhears the Chinaman talking to the white villain, and learns that they had papers that would prove the hero innocent; she steals them and delivers them to the hero. Although she loves him, she gives him up to the white girl to whom he was engaged, but before whom he did not dare appear because he was unable to prove his innocence. She had never lost faith in his innocence.

"Love Hungry"—with Lois Moran and Lawrence Gray

(Fox, April 8; 5,792 ft.; 67 to 82 min.)

A good entertainment of the light comedy variety. There are many laughs all the way through, some of them being caused by the hero's having mistaken the identity of the heroine. She had returned home with her friend, a gold-digger, after the troupe they were with had been stranded. In entering her father's home, the heroine is confronted by the hero, who took her and her friend for two girls looking for a room. The heroine does not disillusion the hero and when they become what the hero had thought "fresh," he attempts to throw them out of the house. But they are rescued when her father and her mother arrive. Miss Moran impersonates her part with feeling. Marjorie Beebe is a great help to Miss Moran; with her "wise-cracking" and her good acting as a gold-digger, she keeps one in laughter almost continuously. Lawrence Gray is good as the hero, the would-be author. Edyth Chapman, as the heroine's mother, and James Neil, as her father, do well.

The plot has been founded on a story by Victor Herrman and Randall H. Faye; it has been directed by Mr. Herrman.

It should give a pleasurable evening's entertainment to any picture-goer.

"Crook's Can't Win"—with a Special Cast (FBO, May 11; 6,300 ft.; 73 to 90 min.)

This is a silk robbery picture, a great deal of the action unfolding in a silk warehouse, and showing the means the robbers employ to "lift" the silk undetected. It is so realistic, that one is made to feel as if being present in a real-life occurrence. One feels the thrills that come from the danger of such an undertaking; one fears for the lives of the policemen and of the hero, who are trying to detect the robbers and thus to put an end to the frequent robberies. The scenes that show the hero, a rookie policeman, made a prisoner by the crooks, who used his young brother as a decoy; the ones that show him, after being indefinitely suspended for abandoning his post, obtaining a position as a truck driver, thus hoping to get a clue that would help him detect the crook; those that show him being trapped by the crooks when his young brother uttered an exclamation the minute he came face to face with him; the scenes that follow, showing the police surrounding the warehouse and using machine guns either to kill the robbers or to make them surrender themselves—all these scenes are thrilling in the extreme.

The story was written by Joseph J. O'Neil (better known as Joe O'Neil); it has been directed by George M. Arthur from a continuity by Enid Hibbard. Unlike other crook stories it does not leave an unpleasant feeling. Sam Nelson, as the hero; James Eagle, as the hero's brother; Thelma Hill, as the heroine; Ralph Lewis, as the heroine's father; Alfred Dayton, Jr., as the half-owner of the silk establishment, in league with the crooks—all do good work. Mr. Nelson, in particular, arouses warm sympathy because the part shows him as a man of character.

The story shows how a rookie policeman was framed and trapped by silk robbers, and how he, after being indefinitely suspended from the service, goes after the crooks determined to catch them and thus, not only re-establish himself, but also rescue his young brother, who had been made a captive by the crooks, as well as to win the love of his sweetheart. He succeeds.

"Three Sinners"—with Pola Negri*(Paramount, April 7; 7,029 ft.; 81 to 100 min.)*

Not only is "Three Sinners" the most appealing story that has been given Miss Negri, here and abroad, but also the best constructed drama that has been filmed in some time. To be sure there is one situation that appears implausible; yet, the way it has been acted, it has been made plausible. This situation is where the heroine is shown not being recognized by her own husband in her assumed identity. The most dramatic situation is that which shows the heroine telling her husband, after making her identity known, that she will take her child with her, and that if any one tried to interfere with her she would go back to Germany and tell the world how unfaithful he, her husband, had been, threatening to spare nobody, not even herself. There are tensely dramatic situations in other parts of the picture. Miss Negri has never acted better in her life; and the part fits her well.

The plot has been founded on the story "The Second Life," by Bermauer and Osterreicher. It has been directed most skillfully by Rowland V. Lee.

The story deals with a German countess (heroine), whose husband finds "business matters" as an excuse to hide from her the fact that he had been having intimate relations with another woman, a baroness. Her music teacher is infatuated with her and, when her husband persuades her to go to Vienna, the music teacher, who was taking the same train, is asked by her husband to look after her. The music teacher tricks her into getting off the train in his home town and keeps her in his house for one night. The train is wrecked and the heroine is thought to have perished in the fire which consumed the coach she had been riding in. The heroine's father-in-law calls on the music teacher to get whatever details he could from him about his daughter-in-law. There he discovers her and, being shocked, he tells her that she must remain "dead." The heroine leaves the music teacher and, despondent for her mistake, but particularly because she had been separated from her child, accepts assistance from a gambler, masquerading as a count, and becomes his hostess in his gambling establishment in Paris, posing as his wife.

A few years later she meets her husband in the gambling establishment. The husband is shocked at her resemblance to his supposedly dead wife but the heroine convinces him that there was no relation between them. Learning that her husband was about to marry the baroness, the heroine determines to prevent the marriage; she makes her husband fall in love with her. Soon she exacts a confession from him that while his "dead" wife was burning to death in the wreck he was in the arms of the baroness. The heroine then makes her identity known and regrets that she should have gone through "hell" because she thought that he was a morally clean man. She demands her child and threatens to tell the world what he is if he should try to interfere with her demand. She takes the child and goes to the boat sailing for America, where she meets a young wealthy American, who loved her and who asked her to marry him.

The sex situations have been handled in so a delicate way that it is unlikely that they will offend any one.

"The Patsy"—with Marion Davies*(Cosmopolitan-Metro-Gold.-Mayer, March 10; 7,289 ft.)*

It is hardly likely that "The Patsy" would have been much of entertainment without Marion Davies. The plot is weak, but Miss Davies' good acting, coupled with King Vidor's skilful direction, have made it an intertainment, chiefly for high-class audiences. Miss Davies captures the spectator's sympathy right in the beginning, and holds it until the end. She is presented as the drudge of the family, from whom all the care is taken away to be lavished on her elder sister. When there is a good dress, it is the elder sister that gets it. When a nice-looking young man visits them, the young heroine is hidden somewhere so that she might not detract the attention of the visitor from the pet of the family, the elder sister. There is comedy almost in every foot of the film, caused by the subtitles and by Marion Davies, chiefly by Miss Davies' acting. Considerable comedy is caused in

the closing scenes by Del Henderson, who takes the part of a hen-pecked husband, father of the heroine. He was fond of his young daughter (heroine) and did not like to see the elder daughter being petted and pampered and the heroine neglected. But because "Maw" Harrington (Marie Dressler) was the boss of the house, he could not open his mouth. Toward the end, however, he assumed courage enough to tell "Maw" and everybody in the house except the heroine what he thought of them. With the result that "Maw" was dethroned, "Paw" assuming control of the management of the house. The young heroine at last marries the man she loved.

The plot has been founded on the stage play by Barry Connors. Orville Caldwell takes the part of the hero. Lawrence Gray that of the man whom the heroine's flirty sister loved. Jane Winton is the flirty sister.

"The Adorable Cheat"—with Lila Lee and Cornelius Keefe*(Chesterfield-Regional, Aug. 1; 5,400 ft.)*

A fairly good program picture. The story is not extraordinary, but fairly good handling has made it into a mildly appealing entertainment. It is the story of a wealthy girl, who falls in love with a poor clerk (hero), and who eventually convinces her father that he will make a better husband than any of the wealthy young idlers, thus gaining his permission to marry him. The plot does not lack complications; before the young hero could gain the consent of the heroine's father for their marriage, the author made him go through some experiences, the outcome being that the young man had shown good character. For instance, he, while visiting the heroine at her country home, discovers her young brother opening the wall safe and taking some valuables out of it; he makes the young man put them back. The villain, a young waster, who wanted the heroine as a wife, because of her money, overhears everything and, when it is found that some money was missing from the safe, leads the father to believe that it was the hero that had robbed the safe. The hero allows himself to be thought of as guilty rather than give the heroine's brother away. In the end, however, the hero's innocence is proved and the heroine's father calls on the hero and begs his forgiveness, asking him to go to his daughter, who loved him.

The plot has been founded on a story by Arthur Hoerl; it has been directed by Burton King, from a screen play by the author himself.

"The Play Girl"—with Madge Bellamy*(Fox, April 22; 5,290 ft.; 61 to 75 min.)*

The story is not original, but the picture should please, because of the good handling by the director and of the good acting. There are some situations in it that should bring forth roars of laughter. These are where the heroine is shown in a bachelor's apartment with only her bloomers on, having thrown her clothes away so as to prove to the wealthy man that she wasn't "that kind of girl." She had allowed him to buy her expensive presents, jewelry and clothes, all the while he having in his mind more than "thanks"; but when the heroine discovered that he wasn't, after all, an altruist, she threw everything at his face. This naturally left her embarrassingly clothless, but the hero's coat comes in handy to hide her semi-nudity; he takes her home and tells her that she mustn't do that again, and that she must marry him so that he might protect her from persistent men. There is comedy in the "wisecracks" that are made by the heroine's friend, a gold-digger.

The plot has been founded on a story by John Stone; it has been directed by Arthur Rosson. John Mack Brown takes the part of the hero; Wanter McGrail that of the wealthy bachelor; Anita Garvin of Millie, the gold-digger. The story shows how a wealthy young man met and married a worldly unwise young girl; she had fallen in love with him not knowing that he was wealthy.

many; but in order for these two companies to be able to sell their pictures to these theatres, they had to agree to buy a certain number of UFA films for American consumption. That is how you are being compelled to buy German junk.

The stamp this exhibitor tells us about is a good means whereby you can protect yourselves. But a better means yet is to refrain from buying pictures early. Buy them late enough to enable you to get an idea what you will be buying. This year more than any other year you have to be careful in how much you will pay for film. If you don't you will not be able to survive.

AN INTERESTING LETTER FROM A PHILADELPHIA EXHIBITOR

"Dear Pete:

"The Sentry Safety Control is a little bit of an attachment that is placed on a machine to automatically throw the dowsers on the machine if the film jams or runs off of the sprocket. This little attachment is a very good thing when film is run straight out of the can; but when the film is of twenty days' run it causes a never ending trouble to the operator by shutting off the picture, and in most instances where it has been tried the operators just side track it in order to have less trouble.

"It is a clever little attachment; but it is claimed it is only efficient for film that is less than fifteen days old. It costs \$22.00 to manufacture the two attachments for two machines, and there is absolutely no upkeep of any consequence to maintain them in operation, and practically no wear out to them.

"NOW HERE COMES THE RUB:

"The Sentry Safety Control people, which is owned and controlled by Harry Schwalbe and several of the Stanley group as a separate corporation, charge \$250.00 per annum rental for the use of this in each theatre irrespective of seating capacity or magnitude; and before you can use it you must sign up for a five-year contract.

"FURTHERMORE, HERE COMES SOME GOOD RUBBING:

"The Fire Marshal of Philadelphia passed a ruling that no theatre in Philadelphia would be given a license to run unless equipped with this device. 220 theatres in Philadelphia at \$1250.00 each for the five years of the contract makes a total of TWO HUNDRED AND SEVENTY-FIVE THOUSAND DOLLARS (\$275,000.00); and the Fire Marshal will not O. K. any device but this one, and anything similar to it he has refused to O. K.

"It is rumored that, through the different interlocking interests of those who control movies, they are going to try to have laws passed in each state compelling the use of a Safety Device on projection machines. Imagine what this will be! I understand, in fact, that an effort is now being made in your city to have an ordinance passed making the use of this device on the part of the exhibitors obligatory. I don't think they can get away with it in New York City, where the exhibitors are well organized and where the administration has always favored them because the exhibitors have always helped the administration during elections, but God help the exhibitors in the cities where they are not organized well.

"It is also said that there is another attachment in the market that is just as good (if not better) but it is managed by a firm that is not connected di-

rectly with the movies, and it is rumored that the Sentry Company may tie them up in law suits and may even take them if necessary to the highest courts in the land to forestall the installation. If so, the Sentry Company can force their contracts on all exhibitors; they will make them for a long term of years, and probably they will reap benefits for the children and grandchildren of the men who now have it. Gee, it's a great business and a wonderful high-minded class that control it!

"In the Philadelphia Exhibitor in the issue of February 15th, on page 12, you will notice just a little squib about the Fire Marshal of Philadelphia compelling the use of it; but the underlying facts and other thoughts that are rumored are not mentioned in this.

"There are numerous theatres in Philadelphia that are leased propositions, and the lease terminates in less than five years; but the Fire Marshal condescended that it was only necessary to take the lease for the term that they had it so as not to run into any legal complications; but no doubt after they get over this initial installation they will ram them good and hard for lengthy contracts in the future."

* * *

I have investigated this exhibitor's statement and have found out that he is correct; an effort is being made in this city to have an ordinance passed compelling the use of the Sentry Safety Fire Control device.

I have taken the matter up with the proper exhibitor leaders to block any such attempt by having this matter explained to the political leaders in its true light; but in other cities it will be up to the exhibitors themselves to take steps to forestall this new form of taxation.

If the Sentry Safety Fire Control device is a good one, let it sell on its own merits; its backers should not attempt to fasten it on the necks of the exhibitors by legislation.

LOOK OVER YOUR FILES

Look over your files and if you find any copies missing notify this office. Duplicate copies will be sent to you at once, free of charge.

Do not leave your file incomplete; you don't know when you may need the particular copy you are short of. I have had exhibitors go to the expense of wiring for a particular copy. Why place yourself into a position where you have to wire for a copy?

Some times the copies are lost in the mails, but most of the times they are appropriated by film salesmen, who want to use them to help them sell pictures to other exhibitors, if the reviews for their pictures happen to be favorable. They do not take copies that contain unfavorable reviews; they are interested only in copies that contain good reviews.

DISREGARD SUBSCRIPTION SOLICITING CIRCULARS

If you are a subscriber and you happen to receive a circular soliciting your subscription, you are kindly requested so to note on the postal card and to mail it back.

The list of names is so large that it is difficult to check all up, no matter how carefully the work is done.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions	12.00
Canada and Mexico..	12.00
England and New Zealand	14.50
Other Foreign Countries	16.50
25c. a Copy	

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, MAY 5, 1928

No. 18

AGAIN ABOUT JUDGMENTS BY DEFAULT

Mr. Fred Herrington, Secretary of M. P. T. O. of Western Pennsylvania, wrote me as follows:

"After reading the report in the trade papers that the exhibitor members of the Cleveland arbitration board decided to refuse to arbitrate any cases where the exhibitor was not present for fear of getting into legal entanglements, we of Pittsburgh took the same attitude today.

"Immediately after taking this action we called Mr. George Erdmann, the secretary of the exhibitors' local in Cleveland, up on the telephone, and were informed by him that they had taken the above action but later reconsidered because they had been informed that there had been an amendment put into the Arbitration Laws of New York State legalizing the giving of judgments by default in case either side did not appear.

"If you can possibly secure a copy of the law and the amendment thereto or any other information we would appreciate it very much if you would let us have same at your earliest convenience."

* * *

Yes, there is an amendment to the New York Arbitration Act, Section 4A, covering judgments by default. The Act reads as follows:

"SECTION 4A. *Enforceability of Award in Certain Cases.* Where pursuant to a provision in a written contract to settle by arbitration a controversy thereafter arising between the parties to the contract, or a submission described in section two hereof, an award has been, or is hereafter rendered, without previous application to the supreme court, or a judge thereof, as required by section three hereof, such award shall notwithstanding anything contained in section three hereof be valid and enforceable according to its terms, nevertheless to the provision of this section. At any time before a final judgment shall have been given in proceedings to enforce any such award whether in the courts of the State of New York, or elsewhere, any party to the arbitration who has not participated therein may apply to the supreme court, or a judge thereof, to have all or any of the issues hereinafter mentioned determined, and if, upon any such application the court, or a judge thereof, or a jury, if one be demanded, shall determine that no written contract providing for arbitration was made, or submission entered into, as the case may be, or, that such party was not in default by failing to comply with the terms thereof, or that the arbitrator, arbitrators and, or umpire was, or were not appointed or did not act, pursuant to the written contract, then and in any such case, the award shall thereupon become invalid and unenforceable. Where any such application is made any party may demand a jury trial of all or any of such issues, and if such a demand be made, the court or a judge thereof shall make an order referring the issue or issues to a jury in the manner provided by law for referring to a jury issues in an equity action.

"New. Added by L. 1927, Ch. 352. In effect March 29, 1927."

* * *

I must confess that, like Mr. Erdmann and Mr. Herrington, I knew nothing of the existence of this amendment. I believe, in fact, that very few exhibitor-arbitrators, if any, knew that such an amendment to the Arbitration Act had been put through the Legislature of this State. A man such as Mr. Harry Suchman, who is, not only a good lawyer, but also a prominent member of Theatre Owners' Chamber of Commerce, and who has served on the Arbitration Board repeatedly, knew nothing about it until I called his attention to it. Even Mr. Sol Raives, President of Theatre Owners Chamber of Commerce, who appoints the exhibitor arbitrators, a man who is a member of the

American Arbitration Association, knew nothing about it. This leads me to believe that the Hays organization, which no doubt sponsored it, did not want us to know anything about it; perhaps they hoped that, by making as little noise about it as they could, they would make the exhibitors swallow it without any protests, or without taking steps to have it repealed.

Why do I accuse the Hays organization as having sponsored this amendment?

Because its members will benefit from it more than will the organization members of any other industry.

Now, what does this amendment mean?

It means that the hardships in any arbitration dispute are lifted from the shoulders of the distributor and placed on those of the exhibitor, for it practically tells the exhibitor this: "We have rendered a judgment by default against you. Now go and prove that we have rendered such a judgment illegally! Spend your own money and time by running to the courts to prove it!"

Use common reasoning and I am sure that you will come to the conclusion that Section 4A of the New York State Arbitration Act is unconstitutional, because it gives the right to voluntary judges to "convict" the absent party to an arbitration agreement before it had been determined whether the matter in dispute was arbitrable or not. You will come to the same conclusion also when you bear in mind that arbitration is placed higher than either our civil, and even our criminal, laws. In a criminal as well as in a civil action, the law requires that the defendant be served personally, in accordance with a certain procedure. In arbitration, no such service is necessary, thanks to this amendment. Don't you think that there is something wrong somewhere?

But so long as this amendment is not tested, it will be the law of the land, and it will be necessary for you, if a judgment by default has been rendered against you, to fight the matter in the courts to upset it, either by using the means described in the same amendment, or by fighting the law, as amended, on the grounds of unconstitutionality.

Despite this amendment, I still feel that the exhibitor-arbitrators should refuse to take part in the arbitration proceedings when one of the parties is absent.

Let there be no misunderstanding: by advising the exhibitor-arbitrators not to take part in any judgment by default proceedings, I do not try to shield wrong-doing exhibitors; I am merely trying to prevent the producers and distributors from legalizing oppression. If the system of arbitration were not in the hands of the Hays organization, the policy of this paper toward arbitration would have been different; but every sensible person realizes that now it is in its hands; every one knows that arbitration in this industry is compulsory. And that is why I am fighting it so hard.

Madison, W. Va., April 23rd, 1928.

Mr. P. S. Harrison,
New York.
Dear Sir:

Your REPORTS for April 21st, is quite interesting to me, since in my five years of battling with the exchanges over the arbitration clause of the uniform service contract I have never before seen anything pertaining to it in print from a reliable source. I want to take just a little of your valuable time:

June 8, 1926, I was taken before the Charleston Joint Arbitration Board upon a complaint of Universal and upon advice of my attorneys refused to arbitrate since their
(Continued on last page)

"Honor Bound"—with George O'Brien*(Fox, May 6; 6,188 ft.; 71 to 88 min.)*

A powerful melodrama. It is really an expose of the convict labor atrocities that were uncovered in the state of Alabama several years ago. It was written by Mr. Jack Bethea, a newspaper man who had investigated the conditions in the Southern prison camps personally, and therefore knew what he was writing about. There are thrills aplenty. The scenes that show the hero being lashed will surely make tender-hearted picture-goers sick in the stomach. The cruelty shown by the prison guards and by the contractor of the convict labor is realistic in the extreme. There are thrills also in the fire scenes, where the convict labor barracks are shown set afire by a mentally deranged convict, who had taken that step to avenge the wrongs against the prisoners and particularly against the hero. In that fire, the hero is shown trapped and barely able to escape with his life. There is good drama in it. George O'Brien is excellent in the part of the hero. Estelle Taylor does well as the faithless woman. Tom Santschi, Leila Hyams, Frank Cooley, Sam DeGrasse and others are in the supporting cast. The picture has been directed by Mr. Alfred Green with skill.

"Hot Heels"—with**Glenn Tryon and Patsy Ruth Miller***(Universal-Jewel, May 13; 5,864 ft.; 68 to 83 min.)*

Good entertainment! Human interest, thrills and comedy are mixed up in this picture, which starts out on a comedy slapstick note but finishes with a whirlwind horse-race, keeping the spectators in tense suspense. There are numerous comic absurdities in the opening scenes, where the hero is seen as an eccentric hotel-keeper, acting as his own clerk, and playing all kinds of tricks on the members of a traveling theatrical troupe, which had come to town. The wandering dancers put on a show at the town opera house. This is a laughable burlesque of the melodramas that were popular out in the "sticks" a generation ago. Later, when the troupe goes broke, the hero agrees to finance it for a trip to Havana and goes along with the outfit. He is decoyed into this arrangement by the leading man, who fakes a telegraph message from Cuba. In the development of the plot it is shown that when the troupe arrives in Havana the hero discovers he had been fooled and thinks the heroine, with whom he was in love, had helped to frame him. The horse, Hot Heels, who performs in the show, is a thoroughbred. As a last resource, the heroine enters Hot Heels in a big race. The villain beats up Tod Sloan, the jockey, who was to have ridden Hot Heels. The hero substitutes, rides Hot Heels to victory, and wins the purse, and the girl.

Glenn Tryon does excellent work in the part of hero. Patsy Ruth Miller is a charming heroine.

The plot has been founded on a story by Jack Foley and Vin Moore; it has been directed by William Craft, from a continuity by C. O. Hoyt.

It should direct a universal appeal.

"The Escape"—with**William Russell and Virginia Valli***(Fox, April 29; 5,109 ft.; 59 to 73 min.)*

A good underworld melodrama with human interest as well as exciting situations. There is considerable suspense throughout the picture. The heroine arouses most of the sympathy at first, because the hero is shown rather as a weakling, who cannot control his desire for drink, but who redeems himself toward the end. The action takes place partly in New York's slum district and partly on Broadway, where one of the principal characters operates a night club. He is a man in love with the heroine, who has a job as hostess in his club, but who does not care for him. There are thrills in the opening scenes where bootleggers are operating and chased by officers, the heroine's father, who is one of the band, being killed by a shot. The heroine takes the night club job in order to provide for her younger sister. A young doctor, whom the

heroine had met while he was performing his duties as an interne in the slums, becomes degraded through drink and goes to work for the night club proprietor, making booze. The heroine discovers him and persuades him to go into the country to "brace up." She is constantly annoyed by the club owner, who persists in his attempts to win her. Her young sister is infatuated with a gangster and visits the club with him on New Year's Eve. The hero returns reformed and in good physical condition. A free-for-all fight takes place in the club; the hero battles his way out with the heroine and her sister, the club-owner and a leading gangster being shot to death. Later the lovers are seen happy in the country.

The scene where the club is "shot up" is thrilling in the extreme.

The plot has been founded on a play by Paul Armstrong; it has been directed by Richard Rosson, from a scenario by Paul Schofield. William Russell does excellent work as the unscrupulous club-owner; George Meeker is a pleasing hero, and Virginia Valli is good as the heroine.

The picture should give satisfaction anywhere.

"The Wagon Show"—with Ken Maynard*(First National, Feb. 19; 6,235 ft.; 75 to 89 min.)*

A very good western with a circus background; it is full of thrills and suspense. The thrills are caused by Maynard's daring riding and trick stunts as the cowboy guide (hero) who joins a traveling circus. Tense suspense is caused when Maynard rescues the wagons stolen by a rival circus in time to save the show from ruin. Because he had fallen in love with the proprietor's daughter (heroine), he stays on and when the trick rider deserts to join the rival circus he does all the trick stunts and wins the admiration of the troupers as well as of the audiences; also the love of the heroine.

Children should enjoy the realistic circus atmosphere and the fine heroic riding of Maynard. The veteran actor, Maurice Costello, is the proprietor of the poverty-stricken circus, and Marion Douglas is his daughter. George Davis, as "Hank," Maynard's buddy, contributes the comedy, and Henry Roquemore is the "barker." Tarzan, as usually, brings the hero through. The story is an original. The picture was directed well by Harry J. Brown.

**"The Man Who Laughs"—with
Conrad Veidt***(Universal Extended-Run Prod.; 10,185 ft.)*

It is a wonderful picture from the point of view of direction and of acting, but it is to be seen whether it will appeal to the picture-goers of the rank and file. It is too gruesome. Conrad Veidt shows that he is a master of acting; he impersonates the role of Victor Hugo's Gwynplaine, the man with the disfigured face, admirably. But his large mouth and projecting teeth make him look hideous. He is supposed to have been disfigured by orders of the King, who wanted to revenge himself on the disfigured man's father; by an operation, his cheeks were so drawn as to make him appear as laughing all the time. There is a love affair between him and a blind girl; it will wring one's heart by its pathos. Gwynplaine had been so kind to her, that the blind girl had formed a beautiful picture of him in her mind. So when they are separated she is heart-broken. The separation is shown to have been caused by the machinations of the villainous Queen, who, having discovered that The Man Who Laughs, a circus clown, is a nobleman, designs to force a noble woman, who had inherited his father's estate, to marry him after being ennobled. But Gwynplaine, after becoming a nobleman, upbraids the Queen and runs away; he goes to the docks just in time to be reunited with the heroine, who was being banished by orders of the Queen.

Miss Mary Philbin, who takes the part of the blind girl, has never done better work. She is sympathetic in the extreme. The picture has been directed by Paul Leni with skill.

The literary classes should consider this picture as a spiritual treat.

"Across to Singapore"—with Ramon Novarro

(Metro-Goldwyn, April 7; 6,805 ft.; 79 to 97 min.)

To ask people to see Ramon Novarro in such an atrocious insult to intelligence. It is about the most assinine story he has been given. Imagine a father taking the word of a bum against the word of his own flesh and blood, his son, and you will realize how ridiculous the action is. The action in the first two reels is interesting, but when it shifts to Singapore it becomes disgusting. There it unfolds in a filthy environment, and shows the characters in saloons, drinking and fighting.

The story presents four brothers, happy with their father, in their home on the coast of Maine. The young brother (hero) wants to go with their ship, commanded by the elder brother, but he is told he is only a baby yet. He eventually tricks them into believing that he is a brave man, and is taken along. The heroine, who loves the hero and is loved by him, is betrothed to the eldest brother. This breaks the heart of the young hero. The heroine refuses a kiss to her betrothed, the Captain, before he departs, and he broods about it. In Singapore, he abandons himself to drink. The hero tries to stop him from drinking but he is unable to do so. The villain, one of the crew, has the Captain beaten up and abducted by Chinese thugs, and then gets control of the bark. He has the hero put in irons for supposed cowardice. When the ship returns to the home port, the villain convinces the hero's father that the hero had been a coward, because he had abandoned his brother, the Captain, and fled when Chinese had attacked him. The hero is disowned by his father. But with the help of some friends the hero gains control of the ship, drags the heroine along with him and takes her to Singapore, telling her that she is the only person that can reclaim his brother.

The story ends with the death of the Captain, who was murdered by the villain, and with the marriage of hero and heroine.

The plot has been founded on the novel by Ben Ames Williams. It was directed by William Nigh. Joan Crawford is the heroine; Ernest Torrence, the Captain; Frank Currier, the father.

"Wild West Show"—with Hoot Gibson

(Universal, May 20; 5,254 ft.; 61 to 75 min.)

A good Hoot Gibson Western. The action holds one's interest from the beginning to the end and causes some thrills here and there. The comedy is contributed chiefly by the star; he makes a great hit in the scene where he portrays the part of a human target, while a cross-eyed knife-thrower hurls one flashing blade after another at him. Mr. Gibson is also very funny when he disguises himself as a female bareback rider.

The thrills are caused by the hero's joining a circus, which comes to the ranch. The cowboys are there in full force; they think the show is bad and, headed by the hero, they begin shooting right and left. The explosion of the bullets causes a runaway, with the heroine on the box of a stage-coach, the hero pursues and rescues her. Later he joins the circus; he is unjustly accused of stealing the gate receipts, but proves his innocence and defeats the villain, who tries to frame him. The hero's heroic acts will naturally please the Hoot Gibson fans. In many situations the spectator is held in pretty tense suspense. Hoot Gibson does his usual good work. Dorothy Gulliver makes a charming heroine.

The story has been written by Del Andrews and St. Elmer Boyce, the scenario by Isadore Bernstein; it has been directed by Del Andrews.

"The Sunset Legion"—with Fred Thompson

(Param., April 21; 6,763 ft.; 78 to 96 min.)

Good! It is a western melodrama that unfolds in and around a gold mine, and revolves around the efforts of the hero to protect the owner of the mine, and his daughter, from the machinations of the villain and of his gang of robbers. There are thrills, these being caused by the sight of the attempted holdup of the stage that carried the gold, and by other situations, particularly by the one at the barn dance, where the hero, in a sleight-of-hand way, disguises

himself as a bandit and after the "holdup," in which the only thing stolen was a kiss from the heroine, changes clothes and again appears as the mild-mannered, timid stranger. There is considerable horseback riding and chasing. Mr. Thompson again does well in his part. Edna Murphy takes the part of the heroine well.

Frank Clifton wrote the story. Lloyd Ingram and Alfred L. Werker have directed it.

"Across the Atlantic"—with Monte Blue

(Warner Bros., Feb. 25; 6,052 ft.; 70 to 86 min.)

The first half is slow and of not much interest; but the second half is interesting and pretty appealing. It is an aeroplane picture, in which the hero is given a Lindbergh role. He is shown as an amateur aviator, son of an aeroplane manufacturer. When war is declared he enlists in the aviation branch of the army. While flying over the enemy lines, he is struck on the head by a bullet and downed. He is sent to a hospital. He becomes well, but his memory is gone; he can't even remember his own name. After the war he returns to America and is sent by the Government to a hospital. But he is soon released. By chance he obtains a position in his father's aeroplane factory, though his father never sees him. His father, who thinks his son dead, arranges for a non-stop flight to Paris, to be dedicated to the memory of his "dead" son. Because of his knowledge of aeroplanes, the hero soon is given a responsible position in the factory. When it was decided to test the altitude record in the machine that was to be used in the Paris flight, the hero is ordered to accompany the pilot. At an altitude of over 30,000 feet the hero regains his memory. But when he reaches ground none will believe him when he tells his co-workers who he is; it was thought that he had become unbalanced. So he is sent to a sanitarium for observation. But he escapes, steals the machine and races to Europe, where he finds his wife, who was about to marry his brother.

There is much pathos in the scenes where the hero is shown regaining his memory but unable to convince any one that he was the son of the owner of the factory. The scenes that show him flying to Europe are fairly thrilling.

The story has been written by John Ransome; it was directed by Howard Bretherton. Scenario by Harvey Gates. Monte Blue makes a good hero; Miss Edna Murphy a good heroine.

"Horseman of the Plains"—with Tom Mix

(Fox, March 11; 4,399 ft.; 53 min.)

Another good Tom Mix Western; it is full of thrills and suspense caused mostly by Mr. Mix's efforts to win the obstacle race, for the purpose of raising the money to pay off the mortgage on his girl's ranch.

This time Mr. Mix is the sheriff of a neighboring county; he is asked to help round up a band of crooks, who are expected to attend the county fair. The leader of the crooks is the neighbor of Dawn O'Day (Sally Blaine), heroine. He is trying to get her ranch because she is unable to meet the mortgage which he secretly holds. At his suggestion, she hires a certain man to ride her horse in the obstacle race. This man is in the employ of the leader, and is to throw the race. Tom is captured by the crooks and learns that the race is to be thrown. After a fight and a thrilling ride, he gets to the races in time to jump on the horse and be off. He then gets into the hay wagon and by throwing stacks of hay into the paths of the other racers, he wins and hops into the waiting autos and then into the stage-coach race, which was to be a cross-country race. The crooks again try to prevent his winning by barring his entrance back into the track, but by dodging the bar and bringing back only the chassis attached to the horses he wins both the races and the girl. The love story between Miss Blaine and Mix is interesting in that she does not like Tom at first because he belittles her ability to run the ranch. Heinie Conklin contributes the comedy and helps Tom out by wooing the mammy housekeeper of the heroine so that he might have a chance to learn who the leader of the crooks really is, he having recognized him as a rustler. The story was written by Sinclair Drago and the picture was directed well by Benjamin Stoloff.

claim was for money due them from the theatre I was then operating and the account was supposed to have been made in 1919, two years before I purchased it.

During the controversy I discontinued their service under their complete service contract and at this meeting I agreed to complete this contract if they would make certain concessions which their manager agreed to and he and I dictated this agreement to the Secretary of the Board and it was to be entered as an agreed finding of the Board and I withdrew from the meeting.

July 2nd, I had a letter from them stating that since I had refused to pay this account they would accept cancellation of the contract and we would have no further dealings. I replied that since I had a large stock of advertising in store and their pictures were bought very cheap that I would complete the contract and would make no further shipments.

Upon advice of counsel I purchased pictures from other exchanges and charged them to Universal and credited them with the amount the pictures would have cost from them and billed them for the difference each week and notified them that I would proceed to collect if they did not remit promptly. I sued them each week for 14 weeks and they were a New York corporation, and under the West Virginia laws, I attached a picture each week for security for the debt.

September 1st, they appeared before the Circuit Judge and took a temporary restraining order against me prohibiting me from further attaching their property, which order was returnable in ten days. They then filed a complaint against me daily with the Film Board of Trade of Cincinnati.

On September 9th, we gave them notice that we would ask the court to dissolve the restraining order and at the same time and place would ask for certain other relief; but we did not insist upon the court dissolving this order, but showed the court what they were attempting to do and asked for an injunction against the Charleston Joint Arbitration Board and for one against the Film Board of Trade prohibiting them from hearing cases against me until the final settlement of the case. We also asked for a mandatory injunction against Universal forcing them to submit their differences to the court for final settlement.

The court granted these injunctions and Universal sent a Mr. Williams to see me and we settled the difference by him paying me the amount I claimed they owed me and he paying all the costs including my attorney's fee and we had the settlement entered by the Court as an agreed decree.

About ten days later I saw a copy of the agreement we had drawn at the Board Meeting on June 8th, and found that there had been two typewritten pages added to it after I had withdrawn from the meeting. The records of the Board were kept in Universal's office and one of their stenographers was its secretary.

I took this grievance up with the Hays organization and they sent Mr. Pettijohn down to investigate and he found my charges correct, but told me that it was the first serious mistake this secretary had ever made and that it would cost too much money to move the records and make the changes I demanded. I thanked him for his trouble and took my attorneys and we put the Charleston Joint Arbitration out of existence forever.

Since that time my services have been in demand and I have never lost a case, but recently F. B. O., and Metro-Goldwyn, closed three houses by default, the exhibitors refusing to arbitrate in Cincinnati, Ohio (which was within their legal right). I brought suits against them on each of the three cases and took service on them by attaching their pictures coming into this section. They did not let it go far until they all came to see me and agreed to open the three houses and allow the exhibitors \$40 per day for each day they had them closed and agreed to pay up the costs and set out their contracts until such time as it would be convenient and profitable for the exhibitors to play them.

I have had the interests of my fellow-exhibitors at heart and have never charged one of them for my services, nor allowed them to pay me any thing except the actual costs in each case which amounts to very little since my attorneys are employed by the year.

The West Virginia exhibitors are fortunate in having laws that protect them and all they need to meet the unjust and oppressive methods practiced by the distributors is a real high-class lawyer and a willingness to go to court and fight. All the distributors that practice their present high handed methods will weaken when you take them in the court house door.

I have had several of them fined for adding an additional charge to a C. O. D. shipment by mail. This is a violation

of the U. S. Postal Laws and the Chief Inspector at Washington will take charge of the picture and make them settle without trouble or expense to the exhibitor.

Next I am going to make some of them pay for billing me with more postage than they put on the cans. This is also a violation of the Postal Laws.

Yours very truly,

J. D. Hoge,

Operating: Rialto Theatre, Madison, W. Va.; All Coal Theatre, Wharton, W. Va.

IN THE INTERESTS OF JUSTICE

Last week I stated that of the foreign pictures so far sold you only "Variety" made any money.

Immediately after the paper was printed I discovered, by myself, that there were two other foreign pictures that made money for you: "Les Miserables" and "Michael Strogoff." And they would have made perhaps twice as much money if they had been produced with the American skill.

In connection with foreign pictures, an executive of Paramount has informed me that, although their contract with Ufa calls for the release of five German-made pictures through their organization yearly (the same number the Metro-Goldwyn-Mayer contract calls for), they are going to release during the 1928-29 season only one—"Behind the German Lines." In fact, they are going to sell next season only three foreign pictures, one French-made and one British-made being the other two. But they assert that they are so good that they are willing to let me see them before they sell them.

I intend to take them at their word soon and ask for a showing.

If Metro-Goldwyn-Mayer has any statement to make in reference to the number, and quality, of the foreign pictures they intend to put on their 1928-29 group, I shall be only too glad to print it.

IN FULL AGREEMENT

"The methods of acquiring stability of character in a business periodical are not essentially different from the methods necessary for a man to acquire a good character and the reputation for upright dealing. It does not happen overnight, and must endure trials before we know how much pressure it will withstand without yielding to wrong impulses and hopes for quick and easy gain.

"The first requisite is a certain ideal goal towards which its policy directs it. It must be dedicated primarily to its subscribers. . . ."—Harris Dibble Bulletin.

HARRISON'S REPORTS fully agrees that a paper is no different from an individual. It is, after all, a piece of art. And in art, the artist cannot help impressing his own personality on his work.

There is, however, one thing the writer of that article did not get quite right; about acquiring character. Character cannot be acquired—it is inborn in a person, just like sparkling is in the diamond. A person may have reputation but not character. And the only way for us to tell whether a person or a paper has character or not is by studying his or its work. It is the proof!

YOU SHOULD BENEFIT FROM THE REDUCED PRODUCTION COST

The big companies have already started their sales conventions. By the end of this month these conventions will be over, and the distributors will be primed to let their salesmen loose.

I don't know whether the business depression that is now prevailing has made you realize how careful you must be in making up your mind what to pay for the next season's product.

It is useless for me to try to impress on you now that you will not be able to pay as much for the next season's product as you paid for last season's; if you have not learned your lesson by this time, nothing can make you wake up.

There is just one thing that I wish to call your attention to—the fact that pictures today cost less than they did a year ago. The producers, pressed by Wall Street as well as by the knowledge that you will not pay big prices during the coming season, have cut out most waste. So you, too, should benefit from the reduced production costs.

Take it easy this year! Don't rush to buy! There is plenty of time!

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....\$10.00
U. S. Insular Posses-
sions 12.00
Canada and Mexico.. 12.00
England and New
Zealand 14.50
Other Foreign Coun-
tries 16.50
25c. a Copy

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, MAY 12, 1928

No. 19

1927-28 SUBSTITUTIONS

Metro-Goldwyn-Mayer

THE PATSY (828), with Marion Davies: This picture is being delivered in place of "Dumb Dora." "Dumb Dora" was to have been founded on the comic strip by Chic Young; "The Patsy" has been founded on the stage play by Barry Connors. A clear substitution, and therefore you are not obligated to accept it; but since it is a good picture there is no harm in accepting it and keeping the good will of the exchange.

UNDER THE BLACK EAGLE (802): This picture was promised with Bonaparte, the dog; it is being delivered with another dog, Flash. A star substitution; but the change in dogs should not make any difference, although the picture is not being delivered as promised. Accept it!

ACROSS TO SINGAPORE (830), with Ramon Novarro. This picture has been founded on a story by Ben Ames Williams; it is being delivered in place of "The Prince of Graustark," by George Barr McCutcheon. A clear substitution and you are not obligated to accept it.

THE BIG CITY (839), with Lon Chaney: This picture has been founded on an original story by Tod Browning; it is being delivered in place of "Hate." Since "Hate" was to have been founded on the story "The Four Stragglers," which is an Apache story by Frank Packard, it is a clear substitution and you are not obligated to accept it.

First National

FLYING ROMEOS (455), with Charles Murray and George Sidney: This is a story by John McDermott; it deals with two barbers, who get mixed up with aeroplanes and aviators. It is being delivered in place of "Down Went McGinty," which was to have been founded on the popular song of the same name. It is a story substitution. But since it is a good picture no one is the loser for accepting it.

THE CHASER (426), with Harry Langdon (No. 1): This picture has been founded on an original story by Harry Langdon himself. "Butter and Egg Man," in whose place it is being delivered, was to have been founded on the stage play by George S. Kaufman. It is a clear substitution and you are not obligated to accept it.

CHINATOWN CHARLIE (461), with Johnny Hines: This picture has been founded on a story by Owen Davis, and unfolds in New York's Chinatown. "A Pair of Sixes," for which it is being delivered, was to be a "stage farce comedy." It is no doubt a substitution, but since it is a good picture no one is the loser for it.

MAD HOUR (447): This picture has been founded on Elinor Glyn's "Man and the Moment." The working sheet described this picture as a Kane No. 4, to be directed by Allan Dwan. But since "Mad Hour" has been directed by Joseph C. Boyle, it is a director substitution. It is not bad picture, however, and I don't think you will lose anything by accepting it.

THE WHIP WOMAN (445): This picture has been founded on a story by Forrest Halsey and Leland Hayward. It is being delivered for "Golden Calf" (Robert Kane No. 2), which was to have been founded on Aaron Davis' Liberty Magazine story. It is a clear substitution and you don't have to accept it. (Note: I am sorry that I did not discover this before, for the picture is so poor that it is not worth playing.)

FRENCH DRESSING (446), with H. B. Warner: This picture was promised with Ben Lyon and is being delivered with H. B. Warner. Since Mr. Warner is a

celebrity First National is delivering more than it promised.

Fox

DRESSED TO KILL, with Edmund Lowe and Mary Astor, directed by Irving Cummings: This is being delivered in place of "Silk Hats," which was to have been directed by Raoul Walsh, and to be acted by Edmund Lowe and Madge Bellamy. It is a star and director substitution, but the picture has turned out so good that no one is the loser by such a substitution. It is great silk-hatted crook melodrama.

GATEWAY OF THE MOON, with Dolores Del Rio: This picture has been founded on a story by Clifford Bax and has been directed by John Griffith Wray. "Luna Park," in whose place it is being delivered, was to be a story of carnival life, unfolding in Coney Island; it was to be directed by Howard Hawks, and to be acted by Victor McLaglen and Greta Nissen. A story, star and director substitution and you don't have to accept it.

SQUARE CROOKS, with Robert Armstrong, John Mack Brown and Dorothy Appleby; it has been directed by Lew Seiler. It is being delivered in place of "Widow-in-Law," which was to be a comedy to feature Edmund Lowe, Mary Duncan and Sally Phipps, and to be directed by Albert Ray. It is a director and star and undoubtedly a story substitution and you don't have to accept it. But since it is a pretty good picture you don't lose anything by accepting it, thus keeping the good will of the exchange.

SHARPSHOOTERS, with George O'Brien and Lois Moran; it has been founded on a story by Randall H. Faye, and has been directed by J. G. Blystone. It takes the place of "The Girl Downstairs," which was to be an original story by May Edginton, to be directed by Frank Borzage, and to be acted by Olive Broden and Edmund Lowe. It is a story, star and director substitution, but since it has turned out to be such a knock-out comedy, Fox is delivering as good a picture as he promised, and better.

LOVE HUNGRY, with Lois Moran, M. Beebe, and Lawrence Gray; founded on a story by Randall H. Faye. This picture is being delivered in place of "The Comedian," which was to have been founded on the stage play by Sacha Guitry, to be acted by Janet Gaynor (some working sheets give Greta Nissen as the
(Continued on last page)

IN THE INTEREST OF FAIR PLAY

From time to time in Harrison's Reports, I have published articles concerning the varied activities of Charles C. Pettijohn in the motion picture field.

Strong representations have been made to me that these articles reflect upon the character, honesty, integrity and ability of Charles C. Pettijohn.

I sincerely deplore that anybody should have placed a wrong interpretation upon those articles, because I had no intention and have no intention of writing anything calculated to or which might injuriously affect Pettijohn personally or his standing, character, ability, honesty or reputation.

So that there may be no misunderstanding as to my intentions expressed in those articles, I now make clear that they were simply aimed at criticising his activities solely, but with no aim or purpose to do him any personal injury or to cast any reflection upon his person.

In the interest of fair play to all, I cheerfully write this article so as to remove any possibility of any misunderstanding on this score or my intentions in connection with those articles.

"Under the Black Eagle"—with Ralph Forbes, Marceline Day and "Flash"

(Metro-Goldwyn-Mayer, Mar. 24; 5,901 ft.; 71 to 82 min.)

A fair program picture. It is a war drama not particularly original but has action and suspense. And it does give one side of the war, which other war dramas have overlooked; that is, how the celebrated German dogs were trained to fight the enemy and to carry messages.

The story revolves around a young German artist (hero) who, during his enforced military training, learns to hate even the thought of war. "Flash," one of the dogs at the training barracks, becomes very much attached to the hero, who rescues him from the tyranny and cruelty of the dog instructor. The hero and the instructor are in love with the heroine (Marceline Day), daughter of the Colonel in charge of the school. She rather favors the hero. The dog goes home with the hero at the end of the term and when war is declared he follows his master, the hero, who at first is very cowardly. But he becomes brave when the former instructor, now his buddy, is killed. The hero is wounded in trying to save his sector and is brought back to health by the heroine, who had become a nurse. After the war they marry.

There is a thrilling fight in the barracks when the instructor wanted to have Flash killed because he would not obey him. Flash hides under the hero's bunk and escapes by jumping through the window. There is tense suspense when Flash in searching for his master, is picked up by soldiers bringing the other war dogs to the front, and when he eventually finds the hero wounded he gets help and rescues him.

The romance is nicely interwoven. While hatred is aroused in the spectator for the instructor, it is lost by his bravery at the front and one feels very sorry when he is shown killed. William Fairbanks, as the instructor, is very good; and so is Marc McDermott, as the Colonel. Miss Marceline Day is charming. The picture has been founded on an original story by Norman Houston; it was directed by W. S. Van Dyke. It should please audiences that have not grown tired of the many war dramas which do not differ very much.

"Glorious Betsy"—with Dolores Costello and Conrad Nagel

(Warner Bros. Extended-Run Production; 6,800 ft.)

Excellent produced! It directs a deep appeal to the emotions. There is comedy here and there, too. Most of the comedy is caused by Mr. Nagel, who assumes the role of Jerome, the brother of Napoleon Bonaparte; Jerome is shown coming to America with his retinue. Thrice his body guards are shown announcing the arrival of the brother of Napoleon; but just as many times do they find the carriage empty, Jerome having disappeared. They are thus shown as mortified, and made to offer suitable explanations. The first time this occurred, the comedy is caused after the incident. But in the other two times, the spectators laugh before the attendants open the door of the carriage; they know in advance that Jerome will be found missing. The second time this occurred is where Jerome's bodyguards eventually discover him in the heroine's home, in a small town in the interior, posing as a teacher of French; he had been teaching the French language to the heroine. They persuade him to return to Philadelphia. The heroine's father receives a request to make his Philadelphia residence ready to house Jerome. He is naturally proud of it and departs for Philadelphia. The heroine invites her tutor to go along but Jerome, whom the heroine still thinks a teacher of French, refuses to go at that time. The heroine, angered, goes alone with her father. Jerome naturally goes to Philadelphia, accompanied by his bodyguard. When they reach the heroine's house and make the dignified announcement that the brother of Napoleon is about to exit from the carriage, they find him missing when they open the door. This causes roars of laughter.

A great many of the laughs are caused by the heroine's ignorance of the fact that the man she loved and whom she later promised to marry is the brother of Napoleon the Great.

The scenes in France, where the heroine begs Napoleon to reconsider his decision of annulling their marriage for reasons of state, are very pathetic. The subsequent scenes, which show the heroine back in America, broken in spirit, too, are deeply moving. But the height of emotional appeal

is reached in the closing scenes, where Jerome makes a sudden appearance and rushes and embraces the heroine. He explains to her that he had escaped from France, because he could not live without her.

The plot has been founded on the stage play by Rida Johnson Young. It has been directed by Allan Crossland with great skill. Miss Costello does excellent work. Conrad Nagel's work is good. John Miljan, Pasquale Amato, Marc McDermott, Michael Vavitch, Andre de Segurola, Paul Panzer, Clarissa Selwynne, Betty Blythe and others are in the cast.

Note: Though an excellent picture, it is not setting the world "afire" at the Warner Theatre, this city, where it is now playing. The fact that it is a costume play may be one of the reasons for it.

"Abie's Irish Rose"—with a Star Cast

(Paramount Superspecial; 12,103 ft.)

There are many laughs and tears in this Irish-Hebrew comedy-drama. In the first reel, the action is shifted to France, where the hero, son of a Hebrew, is shown mortally wounded and the heroine, daughter of a Catholic Irishman, who loved him, coming face to face with him, the hero. The scenes where she is shown kneeling by the unconscious form of the hero and praying, after her prayers the hero being shown regaining consciousness, will send thrill after thrill through a person's system. There are other moving situations in the picture, but the one in France is the most moving. Comedy is caused chiefly by the acting of that fine actor, Jean Hersholt, who impersonates the hero's father. J. Farrell McDonald does not appear very much in the picture; but whenever he appears he, too, causes laughs. The scenes towards the end where both fathers visit the hero's home secretly, the Hebrew having been lured there by the Rabbi and the Irishman by his friend, the Catholic priest, causes many laughs; each is shown as having brought presents for their grandchild. The Hebrew had thought that the grandchild was a son; the Irishman, that it was a daughter. They soon discover, however, that there were twins, one boy and one girl.

The plot, which has been founded on Anne Nichols' stage play, deals with a young Hebrew who meets a young Irish girl. They fall in love with each other. They return to America, each hoping to induce his parent to consent to their marriage. Seeing how hopeless their situation is, they decide to marry. The ceremony is performed by a Methodist minister. The hero tells his father, an orthodox Hebrew, that he has invited a girl to their house for dinner. When the girl arrives, the father, who was led to believe that she was a Hebrew, is so pleased with her appearance and youth that he works towards bringing about a marriage between her and his son. The two still refrain from setting the hero's father right. The day of the Hebrew wedding is set. The heroine telegraphs to her father to come to New York for the wedding. The father takes a priest friend of his along to perform the wedding ceremony. When the priest and the heroine's father reach the hero's house, they find the couple married. The innocent deception then becomes known. The Irishman leaves his daughter and goes back to California, vowing never to recognize her again and to think her dead. The Hebrew, too, evicts his son from the house and determines to think him dead to him. The couple is taken by some kind-hearted Hebrew friends to their home. The hero obtains a position and they make their own home. They are soon blessed with a child. On Christmas eve there is a reunion, the rabbi on the one hand and the Catholic priest on the other having worked hard to reconcile the fathers towards the mixed marriage.

Charles Rogers is the young hero; Nancy Carroll the young heroine; Jean Hersholt the Hebrew father; J. Farrell McDonald the Irish father. Bernard Gorcey, Ida Kramer, Nick Cogley, Camilus Prestel, Rosa Rosanova and others are in the cast. All do good work.

The picture is chiefly propaganda for tolerance between the Jews and the Christians. It is handled delicately.

Note: While it is a very good picture, it is not what one would call "the greatest picture that has ever been produced." It is not drawing at the 44th Street Theatre, where it is now being shown at \$2 top prices. Its failure to draw may be due to the high price that is charged for admission; it is possible again that the cause may not be just that. The fact remains, however, that the picture is not drawing.

**"Two Lovers"—with
Ronald Colman and Vilma Banky**

(United Artists, Aug. 18; 7,500 ft.; 87 to 107 min.)

This is an excellent drama, produced with extreme care. Direction and acting are of such a high order, and the action is so interesting and appealing, that one's interest never lags up to the last scene. There is suspense in many of the situations, caused by the fact that the life of the hero is put in danger. The hero is shown as being a prominent member of a Flemish secret society, the aim of which was to organize the Dutch to drive the Spaniards, who were the conquerors, out of Flanders, their country. The scenes that show their secret betrayed by the heroine herself, who had been forced by her uncle, commander of the armies of the invaders, to marry the hero, even though she loved another man, are suspenseful in the extreme. One does not feel antipathy towards her because she had misjudged the hero. She had learned that the hero had killed her beloved, but she was unaware of the fact that he had killed him because he, the dead man, had attempted to assault a young girl. The scenes that show the heroine, after she had been informed what the cause of the murder was, rides back and, by using the secret information to which she had accidentally come into possession, induces the Dutchmen to come to the aid of the hero and to drive the Spaniards out of Flanders, are suspenseful in the extreme. The suspense reaches its highest point in the scenes that show the Dutchmen crossing the morass, which reached their necks and, by using the drawbridge, which the heroine with superhuman efforts had succeeded in lowering, entering the town and subduing the invaders, forcing them to sign a treaty of peace, one of the stipulations being the evacuation of their land.

The plot has been founded on "Leatherface," by Baroness Orczy; it has been directed with intelligence by Fred Niblo. Ronald Colman and Vilma Banky do excellent work. Noah Beery, as the commander of the Spanish forces, is good, too. Nigel de Brulier, Virginia Bradford, Helen Jerome Eddy, Eugenie Besserer, Paul Lucas and others are in the cast.

NOTE: This picture, too, is not drawing at the Embassy, on Broadway, this city, where it is now playing. Perhaps the fact that it is a costume play accounts for it.

**"Vamping Venus"—with
Charles Murray and Louise Fazenda**

(First National, May 13; 6,027 ft.; 70 to 86 min.)

Produced most lavishly, and with an expenditure of a large amount of money, but it is doubtful if the picture will appeal to the masses. It is a high-class picture; it unfolds chiefly in the days of ancient Greece, and shows the hero (Charles Murray) as a modern person who finds himself among ancient people, just like the cowboy in "A Connecticut Yankee in King Arthur's Court," who found himself in ancient England. There is comedy here and there but not enough to hurt anybody's sides. The hero is transported to the days of ancient Greece by a beer bottle, with which he was struck on the head, while he was trying to be gay with another person's sweetheart, at the cabaret where this girl was working. During his unconsciousness, he sees the "sweetheart" as Venus, the Goddess; the man who had struck him on the head with the beer bottle as Hercules; his wife, as Circe. Young Spec O'Donnell impersonates Mercury, the messenger of the Gods; Fred O'Beck is Vulcan; Gustav von Sefferitz is Jupiter. Mr. Murray sees his wife and is frightened. But he regains his composure when he is told by Mars, his guide, that she is not his wife but Circe, the enchantress. Some comedy is caused by Miss Fazenda, as Circe, when she uses her "baton" to make people come to her, even though they tried to escape her "charms." Some more comedy is caused when Mr. Murray regains consciousness and is faced by his wife, who, having learned accidentally from a radio that he was at that cabaret, rushed to twist his ear.

The picture has been directed by Eddie Cline.

**"Harold Teen"—with
Arthur Lake and Mary Brian**

(First National, April 29; 7,439 ft.; 86 to 106 min.)

Not much to it. It is a silly college play, in which nothing extraordinary happens, the action consisting mainly of college boy pranks, a college boy love affair, and of a foot-

ball game, in which the hero, like in all pictures of this kind, appears at the last minute to save the game for his college. In most of the film Arthur Lake is made to act as a simpleton. A mild thrill or so is offered near the closing scenes by the bursting of a dam.

The story shows the hero going to Covina, California, to attend high school. He was glad to go there because the heroine, whom he loved, moved to that town, too. His cousin, in whose house he lived, did everything he could to make things uncomfortable for the young hero. Eventually, however, the hero gains so much popularity that he overshadows the popularity of his cousin.

Some amateur pictures are shown being taken by the school boy characters and thrown on the screen. It is hardly likely that they will cause any laughter.

The story has been founded on the comic strip by Carl Edwards. It has been adapted by Tom Gerathy, and directed by Mervyn LeRoy. Lucien Littlefield, Jack Duffy, Alice White, Hedda Hopper and others are in the cast.

"After the Storm"—with Hobart Bosworth

(Columbia, April 19; 5,459 ft.; 65 to 74 min.)

Mediocre; not even the usual good acting of Hobart Bosworth in his familiar role of sea captain and the one or two thrilling scenes of a fight in a dive in Singapore and the storm-tossed ship, can make this tiresome picture entertaining.

The action is very slow and story is so unoriginal. It revolves around a sea captain (hero) who in his youth was a smuggler in love with the girl who he supposed had betrayed him to the police. Hating all women as a result, he opposed the match of his son when he fell in love with the heroine (Eugenia Gilbert), daughter of the woman he was to marry once, when she came on board at her dying mother's request that she be taken to San Francisco. But after finding out from his dying wife (a beach-walker) in Singapore, who had divorced him right after the police had sent him to prison for five years, that it was she that had betrayed him and not his sweetheart, he exerted every effort to rescue the young couple when they were caught in a violent storm while eloping in a small boat. After the rescue he consents to their marriage.

Miss Gilbert is a pleasing heroine and Charles Delaney is likeable as the son who is exceedingly fond of his father. George Kuwa contributes the comedy as the superstitious Chinese cook. The picture was directed by Joe Nadel under the supervision of George Seitz. No author is credited with the story. Most of the action is on board and some of it is along the waterfront of Singapore though only the one Chinese character appears in the cast.

You might get by if Hobart Bosworth is a favorite or if you play it as a double feature.

"Easy Come, Easy Go"—with Richard Dix

(Paramount, April 21; 5,364 ft.; 64 to 73 min.)

It is an amusing farce comedy. Though the plot is a pretty weak story, it has made good entertainment. The subtitles as well as the situations cause the laughs. Mr. Dix, as the hero, is fired by his father, a radio station owner, because he used profane language in his broadcasting. Angry at the world, he is almost run over by a truck driven by another "swear-artist." At this time he meets the heroine (Nancy Carroll), who, with her father, a millionaire, is on his way to a sanitarium for his (the father's) health, and immediately falls in love with her. Out of gratitude for having been rescued by the stranger crook, he helps the crook, who had just stolen the payroll of the heroine's father, make his get-away, and with him, they travel on the same train as the heroine to the sanitarium. Mr. Dix has difficulty in making everyone realize that he is not the crook and after many misunderstandings and mixups, the real crook is caught. He wins the heroine and the friendship of the millionaire.

While Mr. Dix does good work as the poor but misjudged honest young man, the acting honors go to Charles Sellon whose burlesquing of a veteran crook made the audience chuckle considerably. Others in the cast are Arnold Kent as the would-be fiance of the heroine and the late Frank Currier as the heroine's father.

The picture is founded on the stage play by Owen Davis, scenarized by Florence Ryerson and directed with skill by Frank Tuttle.

star), and to be directed by Victor Schertzinger. It is a story, star, and director substitution; but since the picture has turned out pretty good, you can't lose by accepting it.

Columbia

BROADWAY DADDIES: Promised as a story by Grace Atkinson. The finished product has been founded on a story by Victoria Moore. A story substitution. It is a fair drama and you can use your own judgment whether you want to accept it or not.

THE DESERT BRIDE: An Arabian desert story by Ewart Adamson. It was promised as a "Frances Marion story of an international vampire—a gold-digger of Europe and America (not a bad program picture). It is a clear story substitution.

MATINEE IDOL: A comedy-drama of stage life by Ernest Pagano and Robert Lord. It is being delivered in place of "Come Back to Aaron," which was promised as "A sure-fire racial hit—pathos, comedy, love and hate." Manifestly a story substitution.

A WOMAN'S WAY: This is a picture of Paris life by Izola Forrester; the original title given to it by the author was "Paris Nights." It was promised originally as a picture to be found on the Thompson Buchanan stage play. A story substitution. (It is only a fair picture.)

SO THIS IS LOVE: A pugilistic picture, the quality of which is very good. It was originally promised as the story of a gold-digger, by Gertrude Atherton. It is a story substitution, but since it is a good picture you should accept it.

LADY RAFFLES: The finished product has been founded on a story by Jack Jungmeyer and Fred Stanley. It was promised as a picture to be founded on a story by Alfred Henry Lewis. It is a clear story substitution; but since the picture is very good, no one will be the loser by accepting it.

THE OPENING NIGHT: The finished product has been founded on a story by Albert Payson Terhune. It was promised as a picture to be founded on a story by Owen Davis. A clear story substitution. But since it is a good drama you don't lose anything by accepting it.

THE TIGRESS, with Dorothy Revier: It was promised with Priscilla Dean. It is a star substitution.

THE COLLEGE HERO: The finished product has been founded on a story by Henry Simonds. The original story was to be by Willard Mack. A story substitution.

SECTION 4A OF THE NEW YORK ARBITRATION ACT

The two articles on judgments by default, one of which was printed last week, have aroused so much interest among the exhibitors that I asked Mr. Harry Suchman, as said last week a lawyer and prominent member of Theatre Owners Chamber of Commerce, to give me his opinion on Section 4A of the New York State Arbitration Act. Mr. Suchman has written me as follows:

"My dear Pete:

"I have given special study to Section 4A of the Arbitration Law of the State of New York and my opinions in the matter based on such study, are as follows:

"The purpose of the section obviously, is to do away with the necessity of obtaining a court order as provided for in Section 3, to compel a reluctant litigant to arbitrate and in its place, to permit the awarding of a default judgment upon the failure of either of the litigants to appear; the belief being, that such defaulting litigant may, upon motion of his opponent to confirm the award, set forth his objections to the award procedure, etc., as provided for in this Section.

"At first blush, this proposition seems harmless and the worst interpretation might be that which shifts the burden from the plaintiff to the defendant. However, were all the defendants in arbitration cases to be served personally as required in a court of law, due and proper notice would be given to prevent any fast ones being put over on defendants. According to present procedure, a registered letter is directed to a theatre in which the litigant is interested and such letter may or may not reach the hands of the party for whom it is intended and very often a default judgment may be taken against such litigant even though he may be unaware of the

pendency of a case against him. Nor can this condition be remedied upon an argument of a motion to confirm the award, because the question of service, etc., would be matters for the judge to determine and if such determination would be adverse to the alleged defaulting party, he would be deprived of his day in court on the merits of the controversy.

"This is one of the most glaring pitfalls confronting the exhibitor if arbitration boards should operate in accordance with Section 4A. The Section permits the granting of default awards but it is still discretionary on the part of the arbitrators whether or not they, under the circumstances, desire to hand out such awards. I, for one, will state positively at the present time, that under the present conditions of service and enforcement, I would never sit as an arbitrator in a case where only one of the litigants appears.

"Section 4A intimates the procedure of enforcement of the award, namely, by confirmation of the award on motion. If all awards were enforced in this way instead of the manner now pursued by the distributors, which in my opinion, is illegal and I trust will be so held by the Government at the conclusion of its present action, and were the method of service amended so that there would be no doubt as to the proper notice being brought to the attention of the litigants, I would be strongly inclined in favor of the Arbitration Board operating in accordance with Section 4A. Of course, this method of procedure would be more costly and more cumbersome to distributors, but on the other hand, it would be more equitable which in my humble opinion, should be the only basis up on which arbitration boards should operate.

"So, to sum up, it is my opinion that arbitration boards should not issue default awards unless the entire machinery of service and enforcement is brought within the confines of law and equity.

"Sincerely yours,

"HARRY SUCHMAN."

Mr. Suchman is right: if the awards were to be enforced through legal channels, perhaps there could be no objection to working under Section 4A, for the exhibitor would, after all, be given his day in court. But they are not enforced that way; the producer-distributors use the Film Boards as a club against the exhibitors; through them, they demand penalties, in the form of additional securities, an act which is, as Mr. Suchman says, and as many other lawyers have stated, in violation of the law. No one can stop a distributor from refusing film service to an exhibitor against whom he has secured an award, which such exhibitor refuses to carry out; but it is different when other distributors, persons with whom this exhibitor has had no quarrel, join the one distributor to force the exhibitor to "come through." No one would blame even the other distributors for refusing him service if such exhibitor went to them for product afterwards; but they have no right to refuse him service on the existing contracts. And I am sure that if an exhibitor who has been so treated went to the courts, he would most surely get redress.

Section 4A affects almost solely this industry. In other industries, the arbitration agreements provide, with perhaps an exception here and there, that each of the parties shall appoint an arbitrator, the two arbitrators to select a third arbitrator. To such arbitration agreements, Section 4A is meaningless, for there are no arbitrators to render a judgment by default; these must be appointed. In this industry, however, it is different; the arbitrators are appointed, not by the parties to an arbitration agreement, but by outsiders.

I again urge the exhibitor-arbitrators to refuse to sit in cases where one of the parties fails to appear. There is nothing in the arbitration law that compels members of a board to act. According to the Minneapolis judge, the one who heard the case of Warner Bros. against the Minneapolis arbitration board, which refused to hear any cases because Warner Bros. took court action to compel the arbitration board to hear its cases, an arbitration board is a voluntary body and cannot be compelled to hear a case. The exhibitor-arbitrators, in refusing to sit in such cases, would be refusing to lend themselves to furthering the oppressive measures the producer-distributors are resorting to in order to gain monetary advantage. Harrison's Reports is and always has been in favor of arbitration. But it is in favor of voluntary arbitration, conducted along fair lines. And the present system is neither voluntary nor fair.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions	12.00
Canada and Mexico..	12.00
England and New Zealand	14.50
Other Foreign Countries	16.50
25c. a Copy	

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, MAY 19, 1928

No. 20

THE MASTERS ARE BECOMING SLAVES

The men who for several years have been the masters of the moving picture industry are about to become the slaves. The invention of synchronized sound and motion in pictures is bringing this condition about.

The new master is to be the Radio Corporation of America.

In order for you to realize fully the significance of the late developments as a result of this invention, it is necessary that certain things be made clear to you: First, the synchronization of sound and motion will, according to predictions, supplant the silent drama. In other words, in a short time no theatre will be able to show the pictures in their present form; they will have to show them with the modern invention—accompanied by mechanically reproduced music. And the pictures will have to be produced with that end in view. This will naturally bring about changes also in the production of pictures; the directors will have to possess the knowledge necessitated by the new invention, and the screen actors will have to possess the training of the stage actors so as to enable them to speak their lines not only clearly but also effectively.

The second thing for you to bear in mind is the fact that the Radio Corporation of America, by virtue of the patents it controls in the recording, reproduction and transmission of sound, has the moving picture industry in its grip.

What is the Radio Corporation of America?

Let me quote from the testimony of Mr. Nathan Burkan, the eminent New York attorney, so well known and respected by all in the moving picture industry, which he gave before the Senate Committees that held the joint hearings on the Copyright Bills, S. 2328 and H. R. 10353, last year:

* * *

"The General Electric Co., the Western Electric Co., and the Westinghouse Manufacturing Co., are the largest manufacturers of radio and electrical products in the world. During the years 1919, and 1920, these corporations signed a number of contracts, under which some 2,000 patents relating to radio were pooled. I have mentioned the American Telephone & Telegraph Co., so often, that I nearly forgot to add that the American Telephone & Telegraph Co., is also a party to these agreements. . . .

"The American Telephone & Telegraph Co., owns the Western Electric. The Western Electric Co., is the manufacturing and sales company for the American Telephone & Telegraph Co., and manufactures all the devices used in connection with radio broadcasting transmission. This company owned or was licensed under various patents covering inventions useful both in radio and in wire

telephony. Under these patents it manufactures and sells apparatus principally to the parent company, the American Telephone & Telegraph Co.

"The Radio Corporation of America was caused to be organized by the General Electric Co., on October 17, 1919. Thereafter, the General Electric Co., the Western Electric Co., the Westinghouse Electric & Manufacturing Co., the Radio Corporation of America, and the American Telephone & Telegraph Co., and others, the companies which own or control practically all patents—approximately 2,000 in number—covering radio devices considered important to the art—entered into agreements for the pooling of such patents and for the control and domination of the radio field in America.

"With certain minor limitations, the Radio Corporation under these agreements has secured an exclusive right to sell and use the radio devices covered by the patents involved, or by patents which these companies may acquire before the termination of the agreements. . . .

"The Radio Corporation of America, under these agreements, is made the selling company for practically all the radio devices to be sold to the public under the hundreds of patents involved. The General Electric Co., and the Westinghouse Electric & Manufacturing Co., are to manufacture and sell to the Radio Corporation only these devices and apparatus, the Radio Corporation agreeing that 60 per cent of its annual requirements be purchased from the General Electric Co., and 40 per cent from the Westinghouse Co.

"The Radio Corporation has practically a monopoly in the sale of vacuum tubes. In the sale of receiving sets, the Radio Corporation predominates in the field. The Western Electric Co., is manufacturing and selling only transmitting apparatus to commercial purposes.

"Having pooled their 2,000 patents, which gives them almost absolute, complete, and positive domination of the radio industry of America, they have parceled out among themselves the whole field of radio activity in the United States. To each one has been allotted its own particular and special field and department of activity. And the others are required to respect such field and not to encroach upon that particular field, but each guaranteeing the other protection against invasion by outsiders. . . .

" . . . The General Electric Co., organized the Radio Corporation of America. On December 31, 1922, there were outstanding and issued by the Radio Corporation of America, 3,955,974 preferred shares, par value \$5 per share and 5,734,000 shares of common stock, no par value. . . .

(Concluded on last page)

"Hold 'Em Yale"—with Rod La Rocque*(Pathe-DeMille, May 14; 7,056 ft.; 82 to 100 min.)*

Not much to it! It is another college play in which the saving of a football game by the hero for his college has been depended upon to put the picture over. The different characters' doings that lead up to the game are of no particular interest. The trouble with it is chiefly the lack of color in the heroic characters. Neither Mr. La Rocque nor Jeanette Loff, his leading woman, does anything to arouse the spectator's interest or to make him feel sympathetic towards either of them. The football scenes, in which the hero is shown as saving the game at the last minute, are painful in the extreme; the hero is shown as having been injured in an automobile accident and as having been taken to a hospital where a doctor performs an operation on his arm. It was immediately after the operation that the hero is shown as having run away from the hospital and as having gone to the field and joined the game. The spectator feels squeamish because the hero plays with an injured arm. These scenes are somewhat inhuman. There is supposed to be some comedy in the scenes where a student plays a practical joke on the hero when he arrives at the station, Yale-bound; he had been fooled into entering a police patrol wagon to go to the campus; but the comedy misses fire. Some comedy may be caused in the scenes where the stupid detective is shown as seeking to arrest the hero, whom he mistook for a criminal. The love affair between the hero and the heroine is no different from the hundreds of other love affairs in pictures; it offers no extraordinary features.

The plot has been founded on the story "At Yale," by Owen Davis. The picture has been directed by Edward H. Griffith.

The hero is presented as an Argentine youth, who goes to Yale, falls in love with the heroine, becomes a football star, tries to save his sweetheart's brother from trouble at the expense of his disobeying the orders of the coach on the eve of the great football game, becomes injured in an automobile accident while at his good-hearted mission, is taken to the hospital where a doctor performs an operation on his arm, "steals" out of the hospital, rushes to the field, joins the game and helps win it.

"Gypsy of the North"—with Georgia Hale and Huntley Gordon*(Rayart, released in April; 5,976 ft.; 69 to 85 min.)*

If it were not so disconnected at first, this would have been a very good melodrama of Alaska, for it is thrilling and suspenseful and the photography and snow scenes are quite good. The scenes in the dance hall where the fights take place are thrilling as are the scenes of the fight between the gambler and the villain in the snow-covered valleys and woods. The suspense is caused by the fact that the gambler had been suspected all along of the killing although he was likeable and liked by everybody. The pathos is caused by the fact that the Frenchman who had formerly sung and laughed continuously is made sorrowful by the plight of his only child.

The story concerns a young girl (heroine) who has a very small part in a show in San Francisco. On the night her brother is expected back from Alaska with a fortune, she is given the part of the star who had become ill. But before the performance she learns from her brother's pal that her brother had been robbed and killed. After the show, she returns with him to Alaska to avenge her brother's death. She meets the gambler who rescues her after she had fallen from her sleigh into the snow and he takes her to her brother's cabin though he doesn't disclose his identity. The heroine had fallen in love with him. But as soon as she finds out that he was suspected of killing her brother she shoots him. In the meantime, the real killer is sought by the hunter whose daughter he had betrayed. Just before the villain had a chance to kill the gambler, he is killed by the Frenchman.

Georgia Hale plays the dual role of the San Francisco show girl and her twin brother, a rather weak gambling-fevered youth. Huntley Gordon is the honest gambler (hero), who is suspected as being the killer of the youth.

Jack Daugherty is the dance hall proprietor (villain), who was the real robber and murderer. He had also seduced the daughter of the French hunter and had attempted to win the heroine when she took a job from him as a dancer, so that she might find the murderer.

The picture is based on a story by Howard Emmett and it was directed by Scott Pembroke. As it is a great deal like a serial thriller, the action being mysterious and exceedingly melodramatic at times, it should please audiences who like this type of entertainment in spite of the fact that the story does not run smoothly at all times; it is gripping and holds one's attention.

"The House of Scandals"—with Dorothy Sebastian and Pat O'Malley*(Tiffany-Stahl, April 1; 5,321 ft.; 61 to 76 min.)*

Not a bad crook melodrama. It is suspenseful, thrilling, humorous and romantic.

The story revolves around an Irishman (hero), a New York cop, whose brother, who had landed from Ireland on the day the hero had been decorated for bravery, causes all kinds of mischief by donning his brother's uniform and parading as a cop. While wearing the uniform he rescues a girl that had been in a taxi collision. He falls in love with her at first sight. He calls on her supposed-home, which really is a nest of crooks. A jeweller, whose pearl necklace the crooks had substituted with a paste string, asks him to arrest them but he refuses to do so because he is not a cop. The jeweler tears a button off his uniform and reports the matter to police headquarters. The hero's superiors grill the hero in an effort to make him tell the name of the person that had worn his uniform and his shield. It is eventually revealed that all the trouble had been caused by the young brother unthinkingly.

The scenes where the young brother refuses to make the arrests are suspenseful. There is pathos in the scenes in the girl's own home when she asks her sweetheart, who had traced and arrested her, not to tell her mother who she really is. The hero awakens sympathy for refusing to give the name of his brother.

Dorothy Sebastian as the crook that reforms and marries her sweetheart after serving out her sentence is good. Pat O'Malley, as the hero, is good, too. Harry Murray has a winning personality and is likeable as the young brother.

The plot has been founded on a story by E. Morton Hough; it was directed by King Baggett.

"Terror Mountain"—with Tom Tyler, Frankie Darro and Jane Reid*(To be released in the Fall)*

A good picture of the program grade. There is a great deal of heart interest in it, this being caused by the unselfishness of the hero, a famous actor, who, responding to an appeal from a little boy, goes to the mountains and protects him and his sister from the machinations of the villain and his gang, who were trying to frighten them into leaving their home and going away. The cause of the villain's machinations was his desire to find out where a wallet containing money had been hidden by the heroine's and the young boy's father's partner, who had been shot by him, the villain; he had fallen dead after entering the heroine's house and hiding the money in a jar. He had died, however, before he had an opportunity to tell the heroine where he had put the money. There are several fights, of course, between the hero and the villains, the hero winning always. The situations where these take place will naturally please the Tyler and Darro fans.

The plot has been founded on the original story "The Western Star," by Wyndham Bitten; it has been directed by Louis King, from a scenario by Frank Howard Clark. Tom Tyler does well. So does Miss Jane Reid, as the heroine. Frankie Darro is as charming as he always is.

The picture has been photographed in the Big Bear mountains, near Los Angeles. The outdoor scenery is beautiful.

"The Fifty-Fifty Girl"—with Bebe Daniels*(Paramount, May 12; 6,402 ft.; 74 to 91 min.)*

The interesting and entertaining part of this picture is centered in the last two reels. The rest of it is pretty tiresome.

The first five reels deal with the way the hero and the heroine had met and with the way their meeting had led up to their falling in love with each other. The heroine is shown as having undertaken the work of a man, and the hero as having agreed to perform the duties of a housewife. While the idea is original, it missed fire in its development and in its transfer to the screen. The interesting and entertaining part of the picture (the last two reels) is highly melodramatic; it unfolds in the tunnel of a gold mine, where the hero and the heroine had been imprisoned by the villain, who schemed to take away the mine, which was owned jointly by the hero and the heroine. The suspense is tense in that part, because the lives of the hero and the heroine are placed in danger. The scenes that show a mysterious wild man ready to wrap his claws around the heroine's neck are the most suspenseful of them all. The sight of the hero falling down a "well," and disappearing; the mysterious disappearance of the heroine and her reappearance; the mad ride of the two in the underground mine railroad, the engine of which was driven by a demented person; the explosion of the dynamite when the speeding cars hit the shack where it was stored—all these hold one in suspense.

The plot has been founded on a story by John McDermott. The picture has been directed by Clarence Badger. James Hall plays opposite Miss Daniels; the two do good work. William Austin furnishes considerable comedy as the Eastern tenderfoot. George Kotsonaros takes the part of the gorilla man in the mine.

If your patrons should happen to come in the middle of the picture they will undoubtedly like it better than if they came in the beginning.

"Circus Rookies"—With Karl Dane and George K. Arthur*(Metro-Gold.-Mayer March 13; 5,661 ft.; 65 to 80 min.)*

Not very intelligent but it is a good entertainment just the same, although not nearly as good as "Rookies." There is mild comedy almost all the way through. Now and then it is stronger. The stronger comedy is caused in the scenes where Karl Dane, as the simple-minded tall man, who was pursuing a circus until he finally got a job in it, is shown ordered by the manager to clean a cage. He goes to the cage where a man-eating gorilla was kept, opens it, enters it with his brooms in hand, and cleans it. Every one expected to see the gorilla tear Mr. Dane to pieces; but it does not happen so, for the gorilla and Mr. Dane immediately establish a friendship, which endures. In these scenes, the spectator is also held in tense suspense; the ferocity of the gorilla had been impressed on the mind of the spectator by showing him kill one of his keepers, and by having it implied that he had killed many more. Whoever impersonated the gorilla, he did so well; at times he is taken for a real gorilla. Other comedy is created in the latter part of the picture; it is chiefly horseplay between Karl Dane and George K. Arthur. The scenes, for example, where Mr. Arthur is shown splashing mud on Mr. Dane, spoiling his new suit, causes immediate laughs; the mud had been splashed when Mr. Arthur went by in his Ford and Mr. Dane was standing near a water pool.

The plot has been founded on a story by Lew Lipton and Edward Sedgwick; it has been directed by Mr. Sedgwick. Louise Lorraine, Sydney Jarvis, Fred Humes and others are in the cast.

"A Thief in the Dark"—with George Meeker*(Fox, May 20; 5,937 ft.; 69 to 84 min.)*

A pretty good crook melodrama, of the program grade. There is a great deal of suspense in the situations in the old recluse's home, where the crooks are shown trying to discover the place where the old man had hidden his valua-

ble jewels. Trap and revolving doors, sliding panels, and the like help to hold the spectator in suspense. The old recluse is shown as having fitted up his home that way in order to make it impossible for thieves to find the hiding place of the jewels and to steal them. There is a love affair between George Meeker and Doris Hill; but because Mr. Meeker is shown as a crook, he does not awaken sympathy at any time, not even afterwards when he turns honest. The situation where Mr. Meeker is shown entering the home of one of the victims of his seance-holding employer and stealing his money, which the victim had hidden under his pillow, is not very edifying; it sets a bad example to young men. The fact that he later returns the wallet, again unperceived, hardly helps to erase the bad impression that is created in one's mind.

The story has been written by Albert Ray and Kenneth Hawks; it has been directed by Mr. Ray. Gwen Lee, Marjorie Beebe, James Mason, Tom McGuire and others are in the supporting cast.

"The Yellow Lily"—with Billie Dove*(First National, May 20; 7,200 ft.; 83 to 102 min.)*

Not much to it!

It is evident that what induced director Alexander Korda to write this story was the success "The Stolen Bride" has made; for "The Yellow Lily," too, revolves around Hungarians. But "The Yellow Lily" misses fire for the reason that the acts of the characters are not very sympathetic, whereas the characters in "The Stolen Bride" were.

In "The Stolen Bride" the sympathy was awakened by the fact that two young folk loved each other, but because the hero was a peasant, the parents of the heroine, a Princess, considered a match between them unthinkable. Love, however, eventually triumphs.

In "The Yellow Lily," a Hungarian Archduke (probably Archduke Ferdinand of Austria-Hungary, who committed suicide), meets the heroine, sister of a doctor, becomes infatuated with her, pursues her, and eventually falls in love with her. No marriage takes place between them, for no marriage would in real life be possible between such persons. That is why not much sympathy is awakened; no love story can awaken sympathy unless pure motives animated from lovers.

The production end of the picture is very good. Miss Dove again does good work. Clive Brook does the best he can in an unsympathetic part; he is shown as having many "flames." Gustave von Seyffertitz, as the Archduke's servant, the man who does his "dirty" work, is very good. Marc McDermott, as the hero's father, is good, too. Nicholas Soussanin, Eugenie Besserer, Jane Winton, Charles Purdy and others are in the cast.

"Women Who Dare"—with Helene Chadwick*(Excellent, Mar. 30; 6,521 ft.; 78 to 85 min.)*

A fair program picture; it has some thrills and heart interest but it is rather long and not very original. The thrills are caused by the fight in the dive and the heart interest by the pathetic scenes in the slums.

The story revolves around a wealthy young woman (heroine), who is tired of the pampered life. Not telling who she is, she becomes a trained nurse and also does settlement work in the slums. Because she writes articles exposing the dreadful conditions in the slums, she is captured and put in a dive by the agents of the property who wanted to get rid of her. She is rescued by the hero, also a millionaire, whom she had nursed back to health when he had been injured in an automobile accident. But because he was a ne'er-do-well, she would not marry him though each was in love with the other. Because the dive owner wanted the girl for himself, his own girl, jealous, notifies the police and the hero. Later the young folk marry.

There is a thrilling fight in the dive.

It is based on a story by Langdon McCormick and it was directed by Burton King. Others in the cast are Frank Beale, Jack Richardson and Henry A. Barrows.

"... The stock of the Radio Corporation of America was divided... as follows:

"The General Electric Co., 620,800 preferred shares and 1,875,000 common shares; the Westinghouse Co., 1,000,000 preferred and 1,000,000 common; and the American Telephone & Telegraph Co., 400,000 preferred and 500,000 common.

"Then came a proposition for representation on the board. So the General Electric Co., took four members of the board, and those four officers of the General Electric Co. The Westinghouse Co., took two, and the American Telephone & Telegraph Co., took two upon this board of directors of this Radio Corporation of America.

"And under the agreements that were entered into there were turned over to the Radio Corporation of America the sole right to sell vacuum tubes. . . . And these devices, the complete outfits, under the arrangements would be manufactured by the Westinghouse Co., and the General Electric, 60 per cent by the General Electric Co., and 40 per cent by the Westinghouse, but the sole sales company was to be the Radio Corporation of America.

"... I might say that when this radio regulation bill first came up, there was developed the fact that this radio industry was in the grasp and clutches of an absolute monopoly, controlled by this very small group. The revelations were staggering and alarming. . . .

"The American Telephone & Telegraph Co. controls the patents for use and sale of apparatus in commercial wire telephony; and it has the exclusive right to the sale of broadcasting apparatus.

"It is protected from wireless telephone competition in the United States because it controls all of the patents in that field. . . ."

* * *

In plain words, the Radio Corporation of America is a combination of the General Electric Co., the American Telephone & Telegraph Co., the Western Electric Co., and of the Westinghouse Electric & Manufacturing Co., and by virtue of the 2,000 patents it either owns or has a right in for the use of them through agreements either with individual owners or companies, has complete control in the field of reproduction, recording and amplification of sound and in the sound reproducing, recording, amplifying, and synchronizing devices. This Corporation, through its subsidiary the RCA Photophone, Inc., has now entered the moving picture field.

Talking pictures and pictures accompanied by mechanically reproduced music are here to stay. As said, moving picture theatres will, in a short time, be all fitted up with sound reproducing and synchronizing devices. These devices must be obtained from the Radio Corporation of America or from any other company in this combination. It will also mean this, that every producer who would want to make talking pictures or pictures with mechanically reproduced music accompaniment must do so under a license obtained from the RCA Photophone, Inc. This will mean that the Radio Corporation of America will have the right to say how much a producer shall pay for the right to make such pictures. The bill will be naturally footed by you, the theatre owners. It is assumed that the public will ultimately have to pay it. But whether this public will be willing to be taxed any more than it is now being taxed in the form of high admission

prices is a question that only the future can answer.

HARRISON'S REPORTS is making a deep study of the new situation and will from time to time print articles for your enlightenment. In the meantime, it will be to your interest to make a study of this problem, too; for the sooner or later you will be compelled to take action of some sort. In the meantime, do not be hasty; don't rush to install an instrument until you know what is going to develop. You would want to know, for example, if the instruments will be of standard manufacture; what the prices of the instruments will be; the price of the subjects; the additional charge for the "musical" film, and about one hundred and one other details.

If you have any suggestions to make; if you have anything to say that would help the other exhibitors, send it along.

1927-28 SUBSTITUTIONS Pathe-DeMille

MIDNIGHT MADNESS (324): Promised with Jetta Goudal, delivered with Jacqueline Logan. It is a star substitution and you don't have to accept it.

THE LEOPARD LADY (304): The original story was to have been written by Clara Beranger, and Jetta Goudal was to star in it; the story of the finished product is by Edward Childs Carpenter, and Jacqueline Logan is starred in it. It is a story and star substitution and so you don't have to accept it.

Warner Bros.

THE LITTLE SNOB (206), with May McAvoy: The original story was to have been, "A Jewish-Irish story of humor, pathos and action"; the story of the finished product revolves around an American girl, whose father conducts an amusement concession at Coney Island. He sends her to a boarding school. She becomes a snob but she soon mends her snobish ways and becomes a regular girl.

A CASE THAT MAY DETERMINE THE LEGALITY OF THE "ADDITIONAL SECURITY"

U. B. Theatrical Enterprises, Inc., of Cleveland, Ohio, has applied to the District Court of the United States for Northern Ohio for an injunction against United Artists and other film concerns, as a result of an arbitration controversy with United Artists.

Through such an injunction, U. B. T. E., seeks to restrain United Artists from refusing to furnish pictures it has under contract; the other distributors from refusing to furnish pictures under contract as a result of its controversy with United Artists; and all the members of the Film Board from enforcing an award rendered against it.

According to the petition, U. B. Theatrical Enterprises contracted for two pictures from United Artists. It played the one picture but it lost so much money that it refused to play and pay for the other.

United Artists brought U. B. T. E., before the board and secured an award, which U. B. T. E., considers as having been rendered illegally. And so it seeks relief in the courts through injunction proceedings.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions	12.00
Canada and Mexico..	12.00
England and New Zealand	14.50
Other Foreign Countries	16.50
25c. a Copy	

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, MAY 26, 1928

No. 21

WHAT YOU SHOULD PAY FOR FILM NEXT SEASON

The sales conventions are over. The artistic press books are out. The salesmen will soon be let loose on you in an effort to sell their product ahead of the other companies' salesmen.

As in former years, they will ask you for an increase. Again they will tell you that this year their pictures are better than at any time in the past.

In this editorial, I shall endeavor to lay the situation before you as it exists so that you might be guided accordingly as to whether you should "rush" to buy your film or wait for a more opportune time, or whether you should pay the same price as you paid the current season or to make a "cut," and the extent of such a "cut."

It is hardly necessary for me to tell you that business is bad now. You know it better than the editor of any picture publication. The only thing new that I might say to you is that immediate improvement is not looked for. In fact it may get much worse, because of the abnormal conditions in the stock market. The New York newspapers are condemning the gambling craze that has seized almost everybody in the United States and predict a crash. If a crash should come, the picture business will be affected more than any other business because when people haven't money to buy food with, the first thing they do is to do away with the expense of entertainment. For these reasons, you will not be able to pay even what you have paid for the current season's product and get by. If you pay the same price, you will be forced to dig into your pocket. Fifty per cent of the exhibitors in this zone are "shaky," because of the high prices they paid for film. And I would not be surprised if most of them were unable to survive until the time when conditions will improve. And I am sure that what is true of this zone is true of all other zones. So, for any one of you to think of paying for the new season's product as much as you paid for the current season's will be suicide.

But here is another situation that makes it necessary for you, not only not to pay as much for the next season's product, but also not to be hasty in buying your pictures, until such situation has been cleared up.

The advent of the "musical" and of the talking pictures has bewildered everybody in the moving picture industry. Up to the production of "The Jazz Singer," the success of this invention was negligible. In some territories the Vitaphone made a success, and in many others it made a failure, so "miserable" in some instances, that the theatre was not taking in even as much as it did before the installation of the instrument. But "The Jazz Singer" made such a success wherever it was shown with the "voice" that all calculations have been upset. Then the biggest of the producer-distributors began to do some thinking about this invention. The fact that the Fox Film Corporation had on Broadway, this city, two or three big pictures that were accompanied by this mechanical music, all playing at the same time, made them shiver. This situation made them shut their eyes and sign up with the R. C. A. Phonophone.

But no one yet knows what is going to develop in the next few months. Is the new device going to supplant the silent drama entirely? If so, what instrument will be adopted mainly? There are two modes of reproducing sound for picture purposes: The disk way, which is the Vitaphone, and the film way, which is the Phonophone. The cost of the Vitaphone installation now is from \$8,000 to \$16,000; the Phonophone, from \$4,000 to \$15,000. Will it be possible for the smaller exhibitors to stand the extra charge for the film, seat tax, for the

talking and singing subjects, and for whatever other charges are demanded for the use of the instrument and of the films? Will he be able to take in enough to pay for all this expense in addition to his other expenses?

The inability of any one to answer these questions just now and the uncertainty of the future of the business during this period of transition makes it absolutely necessary that you delay buying pictures until you are reasonably sure what trend events will take. Besides, fitting music to pictures is a new art. The experts in this new device are very few. So we must naturally expect many "lemons" before we arrive to a point where the new style films will be as good as the present films. Remember that the fact that a picture is fitted with mechanically reproduced music or that its characters talk is not sufficient to make such a picture draw. "Tenderloin" is the best proof of it—it made a rank failure at the Warner Theatre, on Broadway, this city. Nor is the fact that a picture is so fitted an excuse for the exhibitors to charge two-dollar prices, or any kind of increased prices. The quality must be there before the picture-goers will like it. So this paper urges you to go slow this year. Don't rush to buy film! Wait! It is better to lose a good film or two by being slow than to find yourself with films in your hands that you cannot use. Bear also in mind that, if you buy "talking" pictures before you install your instrument you will lose much money, for the pictures that are produced to "talk" or to be accompanied by mechanical music, are "flat" when shown plain.

TOWN HALL THEATRE AND GARDENS

Kalgoorlie, Australia, 11th April, 1928.

P. S. Harrison, Esq.,
Harrison's Reports,
New York, U. S. A.
Dear Sir:

I am pleased to receive your issue each week. The criticisms of releases are very acceptable, and the balance of your paper is read with much interest, as it enlightens one as to what is really going on at the "root" of the industry.

I am an independent exhibitor, up against a "chain," so can appreciate your efforts.

I wish you and your journal every success.

Yours faithfully,

W. K. CLEMINGER.

IS THIS ONE OF GABE HESS'S BRIGHT IDEAS?

A Virginia exhibitor received the following letter:

* * * *

"COPYRIGHT PROTECTION BUREAU
"REPRESENTING NATIONAL AND REGIONAL DISTRIBUTORS OF
MOTION PICTURES IN THE UNITED STATES.

"469 Fifth Avenue,

"New York City.

"Washington, D. C., April 21, 1928.

"I wish to call your attention that an investigation made by the field representative of this Bureau discloses that you have been using pictures in excess of the number of days contracted for. It is somewhat apparent that this condition existed for some time prior to our investigation.

"When you contract for picture for a specific day, or days, and use the film for one or more extra days, you do not only violate your contract, but you violate the United States Copyright law and subject yourself to the penalty prescribed thereunder.

"The Bureau was inaugurated to stamp out the evils that now exist, such as switching and holding over film, and not

(Concluded on last page)

"Steamboat Bill, Jr."—with Buster Keaton*(United Artists, May 12; 6,400 ft.; 74 to 91 min.)*

The plot is nonsensical, but the spectators at the Rialto Theatre, where it is now shown, went into hysterics laughing. Mr. Keaton again takes the part of a sap, and everybody gives his father "the laugh," causing him (the father) to become disgusted with him. But in the end, circumstances so shape themselves that the sap son saves the life of the wise father; he had been swept away by the flood waters, caused by a cyclone, and was in danger of drowning. There are many situations all the way through that cause laughs, these being the result of Mr. Keaton's acting. The scenes of the cyclone are the best part of the film; they cause thrills. In these scenes, trees are shown uprooted and blown away; houses are lifted from their foundations, some of them being shown as collapsing like houses of cards, some of them deposited in another place intact. Most of the action takes place on board an old river steamer, a relic of the past. The story revolves mostly around the love affair of the hero, son of the captain of the river boat, with the heroine, daughter of the owner of another river boat, only more modern; he was trying to drive out of business the hero's father. The father of the heroine will under no conditions permit his daughter to marry the sap, son of his rival; but love eventually triumphs.

The picture has been directed by Charles F. Reisner, from a story by Carl Harbaugh. Tom McGuire takes the part of the millionaire steamship owner, father of the heroine, and Marion Byron that of the heroine. Ernest Torrence takes the part of the hero's father.

The satisfaction this picture will give will, no doubt, depend on whether the theatre is full or empty when it is shown. If it is full, they will like it well; if it is empty, they may go away dissatisfied. But in making up your mind as to what you should pay for it, don't fail to take into consideration the performance of Keaton's last two or three pictures; they are bound to affect the drawing powers of this one. In other words, if his past two or three pictures drew well, this one, too, may draw well, in proportion to the business conditions that prevail now as compared to the business conditions that prevailed when you showed the others; if the others failed, it is doubtful if "Steamboat Bill, Jr." will fare better, particularly because business conditions are poor now.

"Clothes Make the Woman"—with Eve Southern and Walter Pidgeon*(Tiffany-Stahl, May 1; 4,983 ft.; 57 to 70 min.)*

A pretty good program picture. The story is a mixture of the real and the fantastic. The real is taken from the life of Anastasia, the Russian Princess, whom some people take for the real daughter of the Czar while others for an imposter. The fantastic is naturally whatever has been conceived to make the drama with the material of the real. The story unfolds in Hollywood, and shows the hero, a famous star, telling the director that he has the material for a wonderful picture story. The director asks him to tell him this idea. When the star starts telling the story the scene fades out and St. Petersburg, Russia, appears, the time of the action being during the days preceding the revolution. It shows how Princess Anastasia, who had, along with the entire family of the Czar, been escorted to exile by a Russian soldier (hero—the same person who tells the story to the director), and was saved from being shot to death on the orders of the revolutionists, the hero firing his shot at her arm. After the shooting, in which the entire Imperial family was wiped out, with the exception of Anastasia, the hero hides her in a load of hay and escorts her to a neighboring state. There she becomes separated from the hero. Months later the hero recognizes the Princess among some extras in Hollywood. He persuades the director to give her a part on account of her "resemblance" to the real Princess; he at no time revealed the fact that she was the real Princess. The story takes the same twist the real events took during the shooting, and closes with the marriage of the hero and the Princess, who was thankful to be just the hero's wife.

The idea of this story is a fair copy of the idea in "The Last Command," the Paramount picture, with Emil Jen-

nings. There, too, the real was mixed with the fantastic. Only that the attempt in "Clothes Makes the Woman" is often inconsistent.

Tom Terris wrote and directed the picture. The direction is good. Eve Southern and Walter Pidgeon do good work. Others in the cast are: Corliss Palmer, Charles Byer, George E. Stone, Adolph Millar and others.

"Hangman's House"—with Victor McLaglen, June Collyer, Larry Kent, Hobart Bosworth and Earle Fox*(Fox, May 13; 6,518 ft.; 75 to 93 min.)*

There is no question that "Hangman's House" has been produced excellently by Mr. Jack Ford. But there is no question that it is a gruesome picture, either. The scenes that show the old judge seeing in a vision a noose and the faces of many of those he had sent to death are anything but cheering. But Mr. Ford's masterful handling has robbed it of much of its offensiveness by making it interesting. Some sympathy is awakened for the heroine, who had been forced by her father to marry a man she despised (villain); also for her young sweetheart, as well as for the hero, whose sister the villain had wronged and had caused her death. The action unfolds in Ireland. The scenes of the horse races are suspenseful and thrilling. Thrilling are also the scenes of the fire, where the villain perishes.

The plot has been founded on the popular novel by Donn Byrne. It opens in Algeria, where the hero is an officer of the Foreign Legion. He receives a letter telling him that a man (villain) had wronged his sister and asks permission to go to Ireland to kill him. He reaches Ireland disguised, because he was sought by the police to be arrested. He learns that the villain had married the daughter (heroine) of a judge. The heroine despised her husband, whom she married against her will; she was in love with a young man.

The story ends with the villain's perishing in a fire. The hero helps the two young lovers, who eventually find happiness in their marriage.

The direction is good. So is the acting of all. The continuity is smooth.

The picture ought to take well with those who do not mind gruesome pictures. The popularity of the novel ought to help the picture draw.

"The Scarlet Dove"—with a Special Cast*(Tiffany-Stahl, April 16; 5,102 ft.; 59 to 72 min.)*

Not much to it. It is another Russian story but what the characters do, do not interest much and hardly awaken any sympathy.

It is the story of a dissolute Russian aristocrat villain, Commander of the garrison near the Austrian border, who is about to marry a young girl, not because he loved her, but because she had barrels of money. But the hero, subordinate of the villain, meets her accidentally and falls so deeply in love with her, that he is willing to risk court martial if he could only save her from the villain's hands. The Commander marries the heroine and the hero is heart-broken. But she soon finds out what a beast he was and leaves him, going to the hero. The hero takes her to his cabin out in the woods, and there hides her. A shawl, found near the river, leads the villain to believe that the heroine had either committed suicide or been killed by drowning. The hero is accused of having murdered the heroine. He is court martialed, but he does not defend himself, preferring shooting rather than to reveal where the heroine had been hiding; he did not want her disgraced. But the heroine appears in the nick of time and the hero is exonerated. The Commander challenges him to a duel. It would have meant certain death for the hero, because the Commander was a crack shot, but for the fact that the ice over which the Commander was standing broke and he disappeared in the cold waters of the river.

The picture has been directed by Arthur Gregor, from a story by the director himself. Lowell Sherman takes the part of the Commander; Margaret Livingston of his "flame," Robert Frazer of the hero, and Shirley Palmer of the heroine. Others in the cast are: Josephine Borio, Julia Swayne Gordon, and Carlos Durand.

"Tempest"—with John Barrymore*(United Artists, Aug. 11; 9,400 ft.; 109 to 134 min.)*

Those of producers who look to the stage, to the magazines, or to the books from which to get their material for their great pictures, had better take a look at "Tempest," an original story; they will know, then, that an original story can make as great a picture as can a stage play, a short story, or a novel.

"Tempest" is one of the greatest pictures that has been produced since the picture business came into being. Mr. Barrymore makes the character of Sergeant Ivan Markov so real that one feels as if he is about to step off the screen to greet one. The scenes of the reception in the General's home, where the hero was being humiliated by his fellow-officers, who avoided him because he had risen from the ranks and felt that he was still a peasant, are gripping. The later scenes, where he is shown in the room of the General's daughter (heroine), having wandered in while intoxicated, are suspenseful. The scenes that follow, showing him being arrested and stripped of his rank, are interesting and suspenseful, too. The scenes that show the hero languishing in the underground prison during the years of the World War; those of the revolution, showing his liberation, and later his promotion into the membership on the committee that tried the members of the old aristocracy; his escape with the heroine into Austria—all these and others are dramatic in the extreme. The most powerful situation, however, is that which shows the hero, holding the heroine in his arms and discovering that she loved him; she had been arrested and brought to him, so that her fate might be decided. It will be hard for one to suppress his emotions in these scenes. Mr. Barrymore is superb in that part.

The plot has been founded on a story by C. Gardner Sullivan, the old reliable screen writer, of the Triangle days. The story's action unfolds in Russia, at a town near the Austrian border, and shows the hero, a soldier, getting a commission by hard study. The old General, commander of the garrison, took a liking to him and helped him get the commission. He falls in love with the General's daughter (heroine). The heroine snubbed him several times and humiliated him when he dared speak to her, because he came from peasants. But down in her heart she loved him because of his manly qualities and fine bearing. The heroine's fiancé, an officer, member of the aristocracy, resented the hero's attentions to the heroine and humiliated him at every occasion. When the hero is found in the heroine's room intoxicated, he is court-martialed and reduced to the ranks. He is also imprisoned. During his imprisonment the World War is declared. His prison record is expunged and he is ordered to join his regiment, but the heroine's fiancé so arranges things that when every one was going to the front he was kept in prison. The revolution takes place and the hero is freed. He is made a leader of the Bolshevik forces. The heroine is detected and brought before the tribunal for trial. The hero, however, who had found out that she really loved him, knowing that death would have been the verdict for her, succeeds in escaping with her to Austria, where they marry.

Camila Horn does excellent work as the heroine. Louis Wolheim, as the hero's pal, is excellent; he arouses considerable sympathy by the loyalty he shows towards the hero. George Fawcett is good as the old General. Others in the cast are Boris de Fas, Ullrich Haupt and Michael Visaroff.

John Considine, Jr., produced it; Sam Taylor directed it. It should give one hundred per cent. satisfaction anywhere.

"The Hawk's Nest"—with Milton Sills and Doris Kenyon*(First National, May 6; 7,390 ft.; 85 to 105 min.)*

The first half is pretty interesting; the second half becomes luridly melodramatic, to such an extent that spectators will, no doubt, laugh at the action. The action is too exaggerated to be convincing, even for a melodrama. In the first part the hero is shown with a hideous face; he is supposed to have been disfigured in the World War, when a shell exploded near him. It is not a very pleasant sight but it would get by were it not for the "tumble" the film takes in the second half.

The sum and substance of the story is the hero's efforts

to rescue from the electric chair a friend of his, who had been convicted for murder, even though he was innocent of the crime. To accomplish his object, the hero goes to a surgeon that specialized in mending faces and has an operation performed on his face. The operation proves a success and the hero once again becomes a regular human being. His appearance is so changed that his old friends and acquaintances do not recognize him. This enables him to establish a friendship with the murderer, a political power, and eventually to trap him into confessing.

The wildly melodramatic action takes place in what is supposed to be a Chinatown. The Chinese are shown as helping the hero to trap the murderer, because the innocent man was their friend.

The physical end of the production is very good, the photography being of the highest order. The settings, too, are good.

The plot has been founded on a story by Wid Gunning; it has been directed by Benjamin Christensen; Montagu Love, Stuart Holmes, Mitchell Lewis, Sojin and others are in the cast.

"Ramona"—with Dolores Del Rio*(United Artists, February 11; 7,650 ft.; 88 to 109 min.)*

Very good! It is tragedy, showing the harrowing details of how Indians were persecuted in the days following the annexation of California, and how the heroine's sweetheart, an Indian, was shot to death in cold blood by a white man. Other harrowing details are an attack by whites on an Indian village, the whites shooting indiscriminately women and children. But the picture has been handled so well that it seems to have pleased those who have already seen it at the Rivoli, this city, where it is playing at 99c admission. There is deep appeal to the emotions of sympathy in almost every one of the situations. Miss Del Rio is sympathetic as the heroine, who loved an Indian; the spectator's sympathy for her becomes warmer, because of the austerity of her aunt, who would under no circumstances permit her to marry an Indian. The strongest pathos is revealed in the scenes where the child of the heroine and of her Indian husband dies, because the white doctor would not treat Indians. Miss Del Rio is an excellent choice as Ramona; Warner Baxter as Alessandro; and Roland Drew, as Felipe. John J. Prince portrays the role of Father Salvierderra with feeling. Vera Lewis is good as the austere aunt.

The plot has been founded on Helen Hunt Jackson's novel of the same name. It was put into pictures once before, by the late W. H. Clune, with only fair success. The present version, however, is far superior to the old version, and it is drawing well at the Rivoli. It should make a success this time.

WHERE ARE THE CONSCIENTIOUS OBJECTORS?

The exhibitors are all in an uproar as a result of the non-theatrical situation. Minneapolis went on record that it will refuse to arbitrate the cases of any distributor that rents pictures to such non-theatrical places as show film unlawfully. Pittsburgh has followed suit. Oklahoma has, according to advices from there, succeeded in convincing the exchanges that it is wrong for them to rent pictures to places that create unfair competition to regular theatre owners. No doubt explosions will occur in other zones.

Wise Gabe Hess is trying to lock horns again in Minneapolis with Al Steffes in the non-theatrical question. He locked horns with him once before, in the case of Warner Bros. vs. a South Dakota exhibitor and got "licked," the courts deciding in favor of the exhibitors' stand; he is now looking for another licking by trying again to meddle in the arbitration matters of the Minneapolis zone; he is trying to get non-organization exhibitors to act as arbitrators in the non-theatrical serving distributors' cases, which the organization refuses to hear.

Fred Herrington, the Secretary of M. P. T. O. of Western Pennsylvania, informs this paper that his organization has given the distributors of his zone until July 1 to accept their demands.

Where are those of the exhibitors that told us that the Brookhart Bill would open the way to non-theatrical competition? Let them tell us if the non-theatrical door was ever closed.

for the purpose of harassing or embarrassing exhibitors. Our policy is to advise the exhibitor we find indulging in these practices and seek an amicable adjustment rather than to give publicity to such acts by submitting such cases to the Joint Board of Arbitration for their hearing, determination and assessment of damages. . . .

"Sincerely yours,
(Signed) "JACK LEVINE,
"COPYRIGHT PROTECTION BUREAU."

* * *

The Copyright Protection Bureau is nothing but the Hays organization in a different dress. In fact I understand that the thought of creating such a bureau was conceived by Gabriel Hess. Mr. Hess is a bright lawyer, particularly when he wears his white spats.

Let us see what the letter implies: "Unless you settle this matter privately, it would be necessary for this BUREAU to bring the case before the arbitration board and humiliate you."

Now, this paper has never encouraged bicycling; on the contrary, it has condemned it severely, because it is nothing but taking the other person's property without paying for it; provided, of course, that the exhibitor who bicycles a film does not do so with the consent of the salesman, the film company's representative. You know that quite often a salesman, pressed by the home office, will condone such an act.

But, although bicycling is unlawful, the means the Hays organization is adopting to make the exhibitors be good are just as reprehensible, or even more so.

If bicycling is criminal, as Mr. Hays' new child asserts it is, then how can Gabriel Hess even think that an arbitration board can try a bicycling case, brought before it on copyright law violation? Who has ever told him that an arbitration board can assume the functions of a criminal court?

Of course, I am not a lawyer, and Gabe Hess is, or at least is supposed to be. Therefore, he might enlighten you on the subject. But let me tell this to you, who may be acting as arbitrators: If you want to go to jail, you cannot go quicker than by appropriating the functions of the criminal courts. A law professor of the Indianapolis University put this matter right about a year ago:

An exhibitor was brought before the board, charged with having violated the Copyright Law. The Board was deadlocked, the exchanges voting for the exchange and the exhibitors against it. This professor was chosen as the seventh arbitrator, in accordance with the rules governing arbitration in the motion picture industry.

After reading the minutes the professor said that he could not try the case, because he would be appropriating the functions of the courts, a criminal act in itself. The professor was asked by the exhibitor members of the board to dismiss the case. "No!" the professor replied: "I wouldn't do even that! That, too, would be violating the law!"

So you can take the opinion of Gabriel Hess, if you want to, in preference to the opinion of that professor. I didn't remember his name, but Charlie Metzger, President of Associated Theatre Owners of Indiana, a professor of Law himself, can give it to you.

POWERS CINEPHONE EQUIPMENT CORP.

Powers Building, 723 Seventh Avenue
New York, N. Y.

May 18, 1928.

Mr. Peter S. Harrison,
Harrison Reports,
1440 Broadway,
New York City.

Dear Mr. Harrison:

The editorial in your May 19th, 1928, publication was read by me with great interest, but I disagree with you in your main title: "THE MASTERS ARE BECOMING SLAVES," and am venturing the prophecy that it will simply be a change of masters and the exhibitors will become the slaves, for history will repeat itself in the motion picture industry as it has in the talking machine business and other lines of endeavor in which a combination, such as you refer to, becomes interested.

Being quite familiar with the personnel of the phonograph business since its inception practically, I fail to see on the horizon any of the old pioneers. They have all been pushed aside and representatives of the electrical combination are practically dictating the affairs and policies of these various companies. The same condition will occur in the

picture industry inasmuch as the principal producers have now become licensees of the electrical companies, and the agreement entered into places all the future developments of the industry in the hands of the new masters. The present officials of these producing companies may not realize this fact yet but they will soon discover it, if for no other reason than that they have no particular knowledge of the new technique that has come into the business, and consequently, they will be unnecessary.

The Radio Corporation of America, the General Electric Company, the Western Electric Company and the Westinghouse Electric & Manufacturing Company at this writing do not control the patents essential to the recording or photographic reproduction of sound. They have the facilities to manufacture these devices and are doing so; this no doubt was the governing thought of the producers when they entered into the license agreement. However, I am not familiar with, or have I been able to ascertain just what they are licensed under but the fact that they accepted a license which limits the introduction or exploitation of any device in the recording and reproduction of sound with motion pictures, only through the licensors, gives the licensors absolute control of the industry and will enable them to dictate the future policies of the motion picture business, which they will do as soon as the theatres are equipped with the devices manufactured and licensed by them.

There are at the present time many patents owned by numerous inventors, applicable to this invention, from which sources it is possible to secure installations in the theatres for the reproduction and amplification of sound. However, the license agreement which the principal producers entered into, prevents them from doing business through any other masters now and for the next five years, which is ample time for the new masters to get control—this being a new art, many improvements are bound to come; the trade itself will develop this art of sound reproduction on film.

I cannot conceive of anything at present that can help the situation, as we have voluntarily and without justification, after all the years of hard work and strife, placed the motion picture industry in the position of doing business by sufferance, which condition it emancipated itself from in its litigation with the old Motion Picture Patents Company. The old Motion Picture Patents Company, however, had ample justification for existence as it was fortified with some basic and fundamental patents. No such condition exists today and regardless of that fact, we have deliberately sold our independence, as these very devices could be acquired by the industry itself, at very little expense and this would encourage the inventors and scientists, responsible for this invention, to continue their efforts to perfect these devices.

There are no patents on the photography of sound; this invention is an old one and the patents have expired. However, a great many patents have been issued by the Patent Office for improvements of this art of sound recording and reproduction, no particular patent being essential to the idea as there are many ways and means of accomplishing the same results.

The exhibitor is at present in a position to install any one of four devices for projecting sound from film, and all of a dozen different devices to project sound from disk records, but the adoption of one particular manufacturer's device with restrictions, prevents the real inventors, who are responsible for the development of this idea, from receiving any remuneration for their efforts.

This is a serious situation and more serious than the members of the industry realize, and it behooves the exhibitor at large to investigate this matter thoroughly so that he does not enter into any license agreement which will prevent him from being free to choose his sound projectors as he does his picture projectors; that is, without any restrictions whatsoever, as there are no patents at present to justify any manufacturing concern in any way to control the motion picture business through the use of devices necessary for this purpose.

About two years ago the writer organized a company to develop recording and reproducing devices for sound in connection with motion pictures. We have at present arrived at the point where we feel our devices are equal, if not superior, to any device being used but we are confronted with the situation that our market is practically shut off caused by the action of the principal producers in entering into this license agreement, which if I am correctly informed, prevents the exhibitor from using any other device than the one manufactured by the licensors.

Very truly yours,

P. A. POWERS.

IN TWO SECTIONS—SECTION TWO
HARRISON'S REPORTS

Vol. X

SATURDAY, MAY 26, 1928

No. 21

(Partial Index No. 3—Pages 57 to 80)

Abie's Irish Rose—Paramount	74
Across the Atlantic—Warner Bros.	71
Across to Singapore—Metro-Goldwyn-Mayer	71
Adorable Cheat, The—Chesterfield-Reg.	67
After the Storm—Columbia	75
Big Noise, The—First National	58
Blue Danube, The—Pathe-deMille	59
Broadway Daddies—Columbia	62
Canyon of Adventure—First National	58
Circus Rookies—Metro-Goldwyn-Mayer	79
Crimson City, The—Warner Bros.	66
Crooks Can't Win—F. B. O.	66
Desert Bride, The—Columbia	62
Devil's Skipper, The—Tiffany-Stahl	58
Easy Come, Easy Go—Paramount	75
Escape, The—Fox	70
Fifty-Fifty Girl—Paramount	79
Glorious Betsy—Warner Bros.	74
Gypsy of the North—Rayart	78
Harold Teen—First National	75
Hold 'Em Yale—Pathe-deMille	78
Honor Bound—Fox	70
Hot Heels—Universal	70
Horseman of the Plains—Fox	71
House of Scandals—Tiffany-Stahl	78
Little Yellow House, The—F. B. O.	66
Love Hungry—Fox	66
Man Who Laughs, The—Universal	70
Midnight Madness—Pathe-deMille	63
Night of Mystery, A—Paramount	62
Partners in Crime—Paramount	59
Patsy, The—Metro-Goldwyn-Mayer	67
Play Girl, The—Fox	67
Road to Ruin, The—Regional	59
Simba—Motion Picture Capitol Corp.	63
Skyscraper—Pathe-deMille	58
Speedy—Paramount	58
Street Angel—Fox	63
Sunset Legion, The—Paramount	71
Tenderloin—Warner Bros.	62
Terror Mountain—F. B. O.	78
Their Hour—Tiffany-Stahl	59
Thief in the Dark—Fox	79
Three Sinners—Paramount	67
Tillie's Punctured Romance—Paramount	62
Two Lovers—United Artists	75
Under the Black Eagle—Metro-Goldwyn-Mayer.....	74
Vamping Venus—First National	75
Wagon Show, The—First National	70
Wild West Show, The—Universal	71
Women Who Dare—Excellent-Regional	79
Yellow Lily—First National	79

**FIRST NATIONAL PICTURE
EXHIBITION VALUES**

377 The Sunset Derby—June 5...	\$ 700,000B—\$ 700,000P
418 Land Beyond Law—June 5...	500,000B— 600,000P
407 Dance Magic—June 12.....	900,000B— 800,000P
404 Framed—June 19	950,000B— 950,000P
391 Naughty But Nice—June 26...	1,300,000B—1,300,000P
385 Lonesome Ladies—July 3.....	700,000B— 700,000P
422 Devil's Saddle—July 10.....	500,000B— 550,000P
443 Prince of Headwaiters—July 17	900,000B— 900,000P
413 White Pants Willie—July 24..	800,000B— 800,000P
409 For the Love of Mike—July 31	900,000B— 950,000P
548 Poor Nut—Aug. 7	1,000,000B—1,000,000P
432 Stolen Bride—Aug. 14.....	1,100,000B—1,200,000P
405 Hard Boiled Haggerty—Aug. 21	950,000B— 950,000P
428 Three's a Crowd—Aug. 28....	1,000,000B— 900,000P
368 Camille—Sept. 4	Special

465 Red Raiders—Sept 4.....	700,000B— 700,000P
450 Smile, Brother, Smile—Sept. 11	900,000B— 900,000P
453 Life of Riley—Sept. 18.....	1,100,000B—1,000,000P
400 The Drop Kick—Sept. 25.....	1,100,000B—1,100,000P
545 Rose of the Golden West—Oct. 2.....	Special
433 American Beauty—Oct. 9.....	1,100,000B—1,000,000P
379 Crystal Cup—Oct. 16.....	900,000B— 900,000P
319 Breakfast at Sunrise—Oct. 23.....	Special
457 No Place to Go—Oct. 30.....	800,000B— 800,000P
469 Gun Gospel—Nov. 6.....	600,000B— 600,000P
547 The Gorilla—Nov. 13	Special
462 Home Made—Nov. 20.....	800,000B— 800,000P
452 Man Crazy—Nov. 27.....	900,000B— 950,000P
549 A Texas Steer—Dec. 4	Special
441 Valley of the Giants—Dec. 11..	950,000B—1,000,000P
544 The Love Mart—Dec. 18	Special
393 Her Wild Cat—Dec. 25.....	1,300,000B—1,300,000P

1928

546 Shepherd of the Hills—Jan. 1	Special
542 Helen of Troy—Jan. 8	Special
446 French Dressing—Jan. 15.....	900,000B
459 Sailors' Wives—Jan. 22.....	800,000B
437 The Moose—Jan. 29	1,300,000B
445 The Whip Woman—Feb. 5.....	900,000B
426 The Chaser—Feb. 12.....	1,000,000B
464 The Wagon Show—Feb. 19.....	700,000B
455 Flying Romeos—Feb. 26.....	1,100,000B
447 Mad Hour—March 4.....	900,000B
440 Burning Daylight—March 11.....	950,000B
434 Heart of a Follies Girl—March 18.....	1,100,000B
448 The Big Noise—March 25.....	900,000B
451 Ladies' Night—April 1.....	1,000,000B
436 Little Shepherd of Kingdom Come—April 8	1,300,000B
461 Chinatown Charlie—April 15.....	800,000B
468 Canyon of Adventure—April 22.....	700,000B
444 Harold Teen—April 29.....	900,000B
449 Lady Be Good—May 6.....	900,000B
456 Vamping Venus—May 13.....	1,100,000B
435 The Yellow Lily—May 20.....	1,100,000B
442 The Hawk's Nest—May 27.....	950,000B
467 Upland Driver—June 3.....	700,000B
460 Three Ring Marriage—June 10.....	800,000B
438 Roulette—June 17	1,300,000B
429 Happiness Ahead—June 24.....	1,300,000B

**FEATURE PICTURE RELEASE
SCHEDULE
1927-28 Product**

(The lists in this Section supercede the lists given in the Blue Section of April 14.)

Columbia Features

That Certain Thing—Viola Dana	Jan. 1
The Wife's Relations—Shirley Mason	Jan. 13
Lady Raffles—Estelle Taylor	Jan. 25
So This Is Love—S. Mason-Wm. Collier, Jr..	Feb. 6
A Woman's Way—W. Baxter-M. Livingston..	Feb. 18
The Sporting Age—Belle Bennett	Mar. 2
The Matinee Idol—Bessie Love-J. Walker.....	Mar. 14
The Desert Bride—Betty Compson	Mar. 26
Broadway Daddies—Jac. Logan-A. Francis.....	Apr. 7
After the Storm—Hobart Bosworth	Apr. 19
Golf Widows.. V. Reynolds-H. Ford.....	May 1
Modern Mothers—H. Chadwick-D. Fairbanks, Jr.	May 13
Name the Woman—A. Stewart-H. Fordon.....	May 25
Ransom—L. Wilson-Ed. Burns	June 7
Virgin Lips—O. Borden-J. Boles.....	June 19

Excellent Features

Satan and the Woman—Windsor-Keefe.....	Jan. 20
The Stronger Will—P. Marmont-R. Carewe..	Feb. 20
Women Who Dare—Helene Chadwick.....	Mar. 31
Inspiration—Geo. Walsh-G. Frazin.....	May 5
A Bit of Heaven—L. Lee-B. Washburn.....	May 15
You're in the Army Now—Santschi-Daugherty.	June 25
Making the Varsity	June 25
Power of the Press	July 15

F. B. O. Features

8233 Driftin' Sands—Bob Steele	Jan. 1
8207 Coney Island—Lois Wilson	Jan. 13
8215 Dead Man's Curve—D. Fairbanks, Jr.	Jan. 15
8243 Wizard of the Saddle—Buzz Barton	Jan. 22
8209 Little Mickey Grogan—Frankie Darro	Jan. 30
8294 Fangs of the Wild—Ranger the Dog	Feb. 5
82111 Her Summer Hero—Blane-Trevor	Feb. 12
82012 Wallflowers—Trevor-Scott	Feb. 16
8234 Riding Renegade—Bob Steele	Feb. 19
8226 When the Law Rides—T. Tyler	Feb. 26
82011 Chicago After Midnight—Ince-Mendez	Mar. 4
8244 The Little Buckaroo—Buzz Barton	Mar. 11
82110 Beyond London Lights—Shumway-Elliott	Mar. 18
82015 Freckles—G. Stratton-J. Fox, Jr.	Mar. 21
8235 Breed of the Sunsets—Bob Steele	Apr. 1
82016 Crooks Can't Win—R. Lewis-T. Hill	Apr. 7
8295 Law of Fear—Ranger, the Dog	Apr. 8
8218 Red Riders of Canada—Miller-Lease	Apr. 15
8225 Phantom of the Range—Tyler-Thompson	Apr. 22
82014 Little Yellow House—Caldwell-Sleeper	Apr. 24
8245 The Pinto Kid—Buzz Barton	Apr. 29
82018 Skinner's Big Idea—Washburn-Sleeper	May 11
8217 Alex the Great—R. (Skeet's) Gallagher	May 13
8236 Man in the Rough—Bob Steele	May 20
82017 The Devil's Trademark—Bennett-Mont	May 28
8296 Dog Justice—Ranger, the dog	June 20
8214 Loves of Ricardo—Geo. Beban-S. Lee	June 17
8224 Texas Tornado—Tom Tyler	June 24
8246 The Fightin' Redhead—Buzz Barton	July 1
8237 The Trail of Courage—Bob Steele	July 8
8219 Sally of the Scandals—B. Love-A. Forest	July 15
8247 The Bantam Cowboy—Buzz Barton	Aug. 12

Fox Features

Daredevil's Reward—Tom Mix	Jan. 15
Soft Living—Madge Bellamy-John M. Brown	Feb. 5
A Girl in Every Port—Victor McLaglen	Feb. 26
Square Crooks—Robt. Armstrong	Mar. 4
Horseman of the Plains—Tom Mix	Mar. 11
Dressed to Kill—Ed. Lowe-Mary Astor	Mar. 18
Why Sailors Go Wrong—N. Stuart-S. Phipps	Mar. 25
Love Hungry—Moran-Gray	Apr. 8
The Play Girl—Bellamy Brown	Apr. 22
The Escape—Russell-Valli	Apr. 29
Honor Bound—O'Brien-Taylor	May 6
Hangman's House—Collyer-L. Kent	May 13
Hello Cheyenne—Tom Mix	May 13
A Thief in the Dark—Meeker-D. Hill	May 20
The News Parade—Stuart-Phipps	May 27
Don't Marry—L. Moran-N. Hamilton	June 3
No Other Woman—D. Del Rio-D. Alvarado	June 10
Wild West Romance—Rex Bell	June 10
Chicken A La King—N. Carroll-G. Meeker	June 17
None but the Brave—C. Morton-D. Knapp	June 24
Road House—M. Alba-W. Burke	July 1
Painted Post—Tom Mix	July 8
The Farmer's Daughter—M. Beebe-W. Burke	July 15
Fleetwing—B. Norton-D. Janis	July 22

Gotham-Lumas Features

San Francisco Nights—Percy Marmont	Jan. 1
Bare Knees—Virginia Lee Corbin	Feb. 1
Turn Back the Hours—Myrna Loy	Mar. 1
The Chorus Kid	Apr. 1
Hell Ship Bronson—Mrs. W. Reid	May 1
United States Smith	May
The Man Higher Up	June 1
The Man Higher Up	June
The Head of the Family	July

Metro-Goldwyn-Mayer Features

853 Love—Garbo-Gilbert	Jan. 2
817 West Point—Haines-Crawford	Jan. 7
832 Divine Woman—Garbo-Hanson	Jan. 14
812 Baby Mine—Arthur-Dane	Jan. 21
846 Law of the Range—McCoy-Crawford	Jan. 21
805 Wickedness Preferred—Cody-Pringle	Jan. 28
854 Student Prince—Novarro-Shearer	Jan. 30
825 Latest From Paris—Shearer-Forbes	Feb. 4
843 Rose Marie—Crawford-Murray	Feb. 11
839 The Big City—Chaney-Compson	Feb. 18
855 The Enemy—Gish-Forbes	Feb. 18
816 Smart Set—Haines-Day	Feb. 25
841 The Crowd—Boardman-Murray	Mar. 3

828 The Patsy—Marion Davies	Mar. 10
819 Bringing Up Father—McDonald-Moran	Mar. 17
802 Under the Black Eagle—R. Forbes	Mar. 24
848 Wyoming—McCoy-Sebastian	Mar. 24
813 Circus Rookies—Dane-Arthur	Mar. 31
830 Across to Singapore—Novarro-Crawford	Apr. 7
840 Laugh, Clown, Laugh—L. Chaney	Apr. 14
849 Riders of the Dark—Tim McCoy	Apr. 21
824 The Actress—N. Shearer	Apr. 28
822 Diamond Handcuffs—E. Boardman-C. Nagel	May 5
852 Skirts—Syd Chaplin-B. Balfour	May 12
647 A Certain Young Man—R. Novarro-R. Adoree	May 19
806 Mlle. from Armentieres—E. Brody-J. Stuart	June 2
814 Detectives—K. Dane-G. K. Arthur	June 9
730 Forbidden Hours—R. Novarro-R. Adoree	June 16
842 The Cossacks—J. Gilbert-R. Adoree	June 23
810 Telling the World—Wm. Haines-A. Page	June 30
821 White Shadows—M. Blue-R. Torres	July 7
845 The Adventurer—Tim McCoy-D. Sebastian	July 14

Paramount Features

2745 The Secret Hour—Negri-Hersholt	Feb. 4
2754 Under the Tonto Rim—Arlen-Brian	Feb. 4
2717 Sporting Goods—R. Dix	Feb. 11
2737 Doomsday—F. Vidor	Feb. 18
2761 The Showdown—Geo. Bancroft-E. Brent	Feb. 25
2727 Feel My Pulse—B. Daniels	Feb. 25
2783 Tillie's Punctured Romance—Fields	Mar. 3
2786 Old Ironsides—W. Beery-E. Ralston	Mar. 3
2708 Red Hair—Clara Bow	Mar. 10
2787 The Legion of the Condemned—Cooper	Mar. 10
2703 Partners in Crime—Beery-Hatton	Mar. 17
2742 Something Always Happens—Ralston	Mar. 24
2750 Adventure Mad—U. F. A. Prod	Mar. 31
2789 Speedy—Harold Lloyd	Apr. 7
2733 A Night of Mystery—A. Menjou	Apr. 7
2746 Three Sinners—P. Negri-W. Baxter	Apr. 14
2714 Sunset Legion—Fred Thomson	Apr. 21
2718 Easy Come, Easy Go—R. Dix	Apr. 21
2712 Fools for Luck—W. C. Fields-C. Conklin	May 5
2728 The Fifty-Fifty Girl—B. Daniels	May 12
2704 The Big Killing—Beery-Hatton	May 19
2762 The Drag Net—Bancroft-Brent	May 26
2782 The Street of Sin—E. Jannings-E. Brent	May 26
2738 The Magnificent Flirt—F. Vidor	June 2
2734 His Tiger Lady—Menjou-Brent	June 9
2743 Half a Bride—Ralston-Cooper	June 16
2755 The Vanishing Pioneer—Holt-Blaine	June 23
2709 Ladies of the Mob—Bow-Arlen	June 30
2723 The Racket—Meighan-Prevost	June 30
2729 Hot News—B. Daniels-N. Hamilton	July 14
2775 Kit Carson—Fred Thompson	July 21

Pathe Features

1230 A Perfect Gentleman—Monty Banks	Jan. 15
1183 What Price Beauty—Nita Naldi	Jan. 22
1208 Boss of the Rustler's Roost—Don Coleman	Jan. 22
1251 The Cowboy Cavalier—Buddy Roosevelt	Jan. 29
1234 Crashing Thru—Jack Padjan	Feb. 5
1206 The Apache Raider—Leo Maloney	Feb. 12
1192 Valley of Hunted Man—Buffalo Bill, Jr.	Feb. 19
1209 The Bronc Stomper—Don Coleman	Feb. 26
1224 Marlie, the Killer—Flame, dog	Mar. 4
1217 The Bullet Mark—Jack Donovan	Mar. 25
1225 The Avenging Shadow—Klondike, dog	Apr. 15
1225 The Law's Lash—Klondike, dog	May 20

Pathe-DeMille Features

304 The Leopard Lady—Jacqueline Logan	Jan. 22
323 The Night Flyer—Wm. Boyd	Feb. 6
321 Stand and Deliver—Rod LaRocque	Feb. 20
325 A Blonde for a Night—Marie Prevost	Feb. 27
336 Chicago—P. Haver-V. Varconi	Mar. 5
334 The Blue Danube—Leatrice Joy	Mar. 12
324 Midnight Madness—Logan-Brooks	Mar. 26
309 Skyscraper—Wm. Boyd	Apr. 9
333 Hold 'Em Yale—Rod LaRocque	May 14
311 Walking Back—Sue Carroll-R. Walling	May 21

Rayart Features

The Danger Patrol—Wm. Russell-V. B. Faire	Apr.
Trail Riders—B. Roosevelt	Apr.
Trailin' Back—B. Roosevelt	Mar.
A Midnight Adventure—C. Landis-E. Murphy	May
The Lightnin' Shot—B. Roosevelt	May
The Devil's Tower—B. Roosevelt	June
Mystery Valley—B. Roosevelt	July

Sterling Features

Burning Up Broadway—H. Costello-R. Frazer.....	Jan. 30
Marry the Girl—B. Bedford-Bob Ellis.....	Mar. 1
A Million for Love—M. Carr-J. Dunn-R. Howe....	Apr. 15
Undressed	June 1
It Might Happen to any Girl.....	July 15

Tiffany-Stahl Features

Jan. 1—"A Woman Against the World".....	Harrison Ford
The Tragedy of Youth—W. Baxter-R. Miller.....	Jan. 15
The Devil's Skipper—Belle Bennett-M. Love.....	Feb. 1
Nameless Men—A. Moreno-C. Windsor	Feb. 15
Their Hour—J. Harron-D. Sebastian	Mar. 1
Bachelor's Paradise—S. O'Neil-R. Graves.....	Mar. 15
House of Scandal—D. Sebastian-P. O'Malley.....	Apr. 1
The Scarlet Dove—R. Frazer-J. Borio	Apr. 15
Clothes Make the Woman—Southern-Pidgeon....	May 1
Ladies of the Nightclub—B. Leonard-R. Cortez..	May 15
Stormy Waters—E. Southern-M. McGregor.....	June 1
Green Grass Widows—W. Hagen-J. Harron.....	June 10
Lingerie	June 20
A Grain of Dust	July 1
The Albany Night Boat.....	July 10
Prowlers of the Sea.....	July 20

Universal Features

A5724 That's My Daddy—Denny	Feb. 5
A5702 Finders Keepers—L. LaPlante	Feb. 5
A5698 The Shield of Honor—All Star.....	Feb. 19
A5701 Midnight Rose—DePutti-Harlan.....	Feb. 26
A5705 Surrender—Philbin-Mosjukine	Mar. 4
A5729 Love Me and the World is Mine—Philbin..	Mar. 4
A5707 Stop That Man!—All Star	Mar. 11
A5703 A Trick of Hearts—Hoot Gibson.....	Mar. 18
A5712 Thanks for the Buggy Ride—LaPlante.....	Apr. 1
A5714 13 Washington Square—All Star	Apr. 8
A5725 Good Morning, Judge—Denny	Apr. 29
A5715 We Americans—All Star	May 6
A5699 Hot Heels—G. Tyron	May 13
A5713 The Wild West Show—Gibson	June 20
A5711 Buck Privates—DePutti	June 3
A5720 The Count of Ten—Ray-Ralston.....	June 17
A5718 The Flying Cowboy—Gibson.....	July 1
A5722 Riding for Fame—Gibson.....	Aug. 19

United Artists Features

The Gaucho—Douglas Fairbanks	Jan. 1
Sadie Thompson—Gloria Swanson	Jan. 7
The Garden of Eden—Corrine Griffith.....	Feb. 4
Ramona—Dolores Del Rio	Feb. 11
Drums of Love—M. Philbin-L. Barrymore.....	Mar. 31
Steamboat Bill, Jr.—B. Keaton-E. Torrence.....	May 12
Tempest—John Barrymore-C. Horn.....	Aug. 11
Two Lovers—R. Colman-V. Banky.....	August
Hells Angels—B. Lyon-G. Nissen.....	not set
Revenge—D. Del Rio-L. Mason.....	not set
The Woman Disputed—N. Talmadge-G. Roland..	not set
The Battle of the Sexes—J. Hersholt-P. Haver..	not set
The Awakening—V. Banky-W. Byron.....	not set
A Tale of Two Cities—R. Colman-L. Damiti.....	not set
La Paiva—Wm. Boyd-L. Velez.....	not set

Warner Bros. Features

200 Beware of Married Men—Irene Rich.....	Jan. 14
216 A Race for Life—Rin-Tin-Tin.....	Jan. 28
206 The Little Snob—May McAvoy	Feb. 11
193 Across the Atlantic—Monte Blue.....	Feb. 25
192 Powder My Back—Irene Rich.....	Mar. 10
202 Domestic Troubles—Cook-Fazenda	Mar. 24
213 The Crimson City—Loy-Miljan	Apr. 7
209 Rinty of the Desert—Rin-Tin-Tin.....	Apr. 21
211 Pay As You Enter—Fazenda-Cook	May 19
201 Five and Ten Cent Annie.....	undetermined

Extended Runs

The Jazz Singer—Al. Jolson	
Noah's Ark—Dolores Costello	
Glorious Betsy—Dolores Costello	
Tenderloin—Dolores Costello	
Black Ivory.....	(Withdrawn)
The Lion and the Mouse—McAvoy-L. Barrymore.....	

RELEASE SCHEDULE FOR COMEDIES**Educational—One Reel**

Felix the Cat in Comicalamities.....	Apr. 1
Green-Eyed Love—Geo. Hall-Cameo	Apr. 8
Felix the Cat in Sure-Lock Homes.....	Apr. 15
Off Balance—Monty Collins-Cameo.....	Apr. 22
Felix the Cat in Eskimotive.....	Apr. 29
Never Too Late—W. Lupino-Cameo	May 6
Felix the Cat in Arabiantics.....	May 13
Three Tough Onions—M. Collins-Cameo.....	May 20
Felix the Cat in In- and Out-Laws.....	May 27
Crown Me—W. Lupino.....	June 3
Felix the Cat in Outdoor Indore.....	June 10
Sailor Boy—M. Collins-Cameo.....	June 17
Felix the Cat in Futuritzzy.....	June 24

Educational Two Reels

Whoozit—Bowers	Apr. 1
No Fare—Big Boy-Juvenile	Apr. 8
Kitchen Talent—Geo. Davis-Mermaid	Apr. 15
Blazing Away—Hamilton	Apr. 22
Slippery Head—Johnny Arthur-Tuxedo	Apr. 29
Fandango—Lupino Lane.....	May 6
At It Again—M. Collins-Mermaid	May 13
You'll Be Sorry—Bowers	May 20
Navy Beans—Big Boy-Juvenile	May 27
Rah Rah Rah—Dorothy Devore.....	June 3
Who's Lying—Davis-Collins-Mermaid.....	June 10
A Homemade Man—Lloyd Hamilton.....	June 17
Hectic Days—Lupino Lane.....	June 17
The Gloom Chaser—Big Boy-Juvenile.....	June 24

Fox—One Reel

Jungles of the Amazon	Feb. 5
Ship Ahoy!	Feb. 19
The Vintage	Mar. 4
The Desert Blooms	Mar. 18
On a South Sea Shore	Apr. 1
America's ittle Lamb	Apr. 15
Spanish Influence	Apr. 29
Sea Breezes	May 13
Lords of the Back Fence	May 27
Thar She Blows	June 10
The Dude Ranch	June 24
Land of the Storks.....	July 8
Oregon—The Trail's End.....	July 22
The Lofty Andes.....	Aug. 5

Fox—Two Reels

Old Wives Who Knew—Imperial	Apr. 8
T. Bone For Two—Van Bibber	Apr. 22
Follow the Leader—Animal.....	May 13
Jack and Jilted—Imperial	May 27
A Knight of Daze—Van Bibber	June 10
A Cow's Husband—Animal	June 24
Daisies Won't Tell—Imperial.....	July 8
His Favorite Wife—Van Bibber.....	July 22

F. B. O.—One Reel

Newsflaff	Apr. 2
Newsflaff	Apr. 16
Newsflaff	Apr. 30
Newsflaff	May 14
Newsflaff	May 28
Newsflaff	June 11
Newsflaff 81622	June 25
Newsflaff 81623	July 9

F. B. O.—Two Reels

Are Husbands People—Karnival	Apr. 2
Mickey's Little Eva—Mivkey McGuire.....	Apr. 2
All Alike—Standard.....	Apr. 9
My Kingdom For a Hearse—Karnival.....	Apr. 16
After the Squall Is Over—Karnival.....	Apr. 30
Mickey's Wild West—Mickey McQuire.....	May 7
Restless Bachelors—Karnival	May 14
Big Bertha—Standard	May 14
Silk Sock Hal—Karnival	May 28
Mickey in Love—Mickey McGuire.....	June 4
Heavy Infants—Standard	June 11
Come Meal—Karnival	June 11
Almost a Gentleman—Karnival	June 25
Mickey's Triumph—Mickey McGuire	July 2

Metro-Goldwyn-Mayer—One Reel

Sanctuary—Oddity	May 5
Golden Fleeces—Oddity	May 19
Tokens of Manhood—Oddity	June 2
Palace of Honey—Oddity	June 16
Sleeping Death—Oddity	June 30
A Happy Omen—Oddity	July 14
Nature's Wizardry—Oddity	July 28

Metro-Goldwyn-Mayer—Two Reels

Limousine Love—Chase	Apr. 14
Your Darn Tootin'—Stars	Apr. 21
Tell It to the Judge—Davidson	Apr. 28
Fair and Muddy—Gang	May 5
The Virgin Queen—Events	May 12
The Fight Pest—Chase	May 12
Their Purple Moment—Stars	May 19
Should Women Drive?—Davidson	May 26
Crazy House—Gang	June 2
Cleopatra—Events	July 7

Paramount—One Reel

Tong Tied—Krazy Kat	Apr. 7
Koko's Hot Dog—Inkwell Imps	Apr. 14
A Bum Steer—Krazy Kat	Apr. 21
Koko's Haunted House—Inkwell Imps	Apr. 28
Gold Bricks—Krazy Kat	May 5
Koko Lamps Aladdin—Inkwell Imp	May 12
The Long Count—Krazy Kat	May 19
Koko Squeals—Inkwell Imps	May 26
The Patent Medicine Kid—Krazy Kat	June 2
Koko's Field Daze—Inkwell Imps	June 9
Stage Coached—Krazy Kat	June 16
Koko Goes Over—Inkwell Imps	June 23
The Rain Dropper—Krazy Kat	June 30
Koko's Catch—Inkwell Imps	July 7
The Companionate Marriage—Krazy Kat	July 14
Koko's War Dogs—Inkwell Imps	July 21

Paramount—Two Reels

Cruising the Arctic—Novelty	May 5
Love's Young Scream—Christie	May 12
Horse Shy—Horton	May 19
A Gallant Gob—Dooley	May 26
Hold 'Er Cowboy—Vernon	June 2
Say Une!—Christie-Duffy	June 9
Slippery Heels—Adams	June 16
Allee in Movieland—Par. Novelty	June 23
Serambled Weddings—Herton	June 30
Slick Slickers—Christie	July 7
Sea Food—Dooley	July 14

Universal—One Reel

Money! Money! Money!—Hall-Har. Highbrow	May 7
Hungry Hoboes—Oswald Cartoon	May 14
Summer Knights—Lake Drugstore	May 21
Oh! What a Knight—Oswald Cartoon	May 28
The Trickster—Hall-Harold Highbrow	June 4
Poor Papa—Oswald Cartoon	June 11
The Speed Shiek—Lake Drugstore	June 18
Fox Chase—Oswald Cartoon	June 25
Her Haunted Heritage—Hall-Highbrow	July 2
Tall Timber—Oswald Cartoon	July 9
Sandwiches & Tea—Lake Drugstore	July 16
Off His Trolley—Hall-Highbrow	July 30

Universal—Two Reels

A Big Bluff—Stern Bros.	May 2
Newlywed's Imagination—Jr. Jewels	May 3
Sailor George—Stern Bros.	May 9
Women Chasers—Stern Bros.	May 16
Buster's Whippet Race—Stern Bros.	May 23
George's School Daze—Stern Bros.	June 4
Whose Wife—Stern Bros.	June 6
A Full House—Stern Bros.	June 13
George Meets George—Stern Bros.	June 20
Buster Minds the Baby—Stern Bros.	June 27
Newlyweds False Alarm—Jr. Jewels	July 3
Reel Life—Stern Bros.	July 4

NEW YORK RELEASE DATES OF THE DIFFERENT NEWS WEEKLIES

International

38 Even Number	Saturday, May 12
39 Odd Number	Wednesday, May 16
40 Even Number	Saturday, May 19
41 Odd Number	Wednesday, May 23
42 Even Number	Saturday, May 26
43 Odd Number	Wednesday, May 30

44 Even Number	Saturday, June 2
45 Odd Number	Wednesday, June 6
46 Even Number	Saturday, June 9
47 Odd Number	Wednesday, June 13
48 Even Number	Saturday, June 16
49 Odd Number	Wednesday, June 20
50 Even Number	Saturday, June 23
51 Odd Number	Wednesday, June 27

Pathe

41 Odd Number	Saturday, May 12
42 Even Number	Wednesday, May 16
43 Odd Number	Saturday, May 19
44 Even Number	Wednesday, May 23
45 Odd Number	Saturday, May 26
46 Even Number	Wednesday, May 20
47 Odd Number	Saturday, June 2
48 Even Number	Wednesday, June 6
49 Odd Number	Saturday, June 9
50 Even Number	Wednesday, June 13
51 Odd Number	Saturday, June 16
52 Even Number	Wednesday, June 20
53 Odd Number	Saturday, June 23
54 Even Number	Wednesday, June 27

Fox

66 Even Number	Saturday, May 12
67 Odd Number	Wednesday, May 16
68 Even Number	Saturday, May 19
69 Odd Number	Wednesday, May 23
70 Even Number	Saturday, May 26
71 Odd Number	Wednesday, May 30
72 Even Number	Saturday, June 2
73 Odd Number	Wednesday, June 6
74 Even Number	Saturday, June 9
75 Odd Number	Wednesday, June 13
76 Even Number	Saturday, June 16
77 Odd Number	Wednesday, June 20
78 Even Number	Saturday, June 23
79 Odd Number	Wednesday, June 27

Kinograms

5395 Odd Number	Saturday, May 12
5396 Even Number	Wednesday, May 16
5397 Odd Number	Saturday, May 19
5398 Even Number	Wednesday, May 23
5399 Odd Number	Saturday, May 26
5400 Even Number	Wednesday, May 30
5401 Odd Number	Saturday, June 2
5402 Even Number	Wednesday, June 6
5403 Odd Number	Saturday, June 9
5404 Even Number	Wednesday, June 13
5405 Odd Number	Saturday, June 16
5406 Even Number	Wednesday, June 23
5407 Odd Number	Saturday, June 23
5408 Even Number	Wednesday, June 27

Paramount

83 Odd Number	Saturday, May 12
84 Even Number	Wednesday, May 16
85 Odd Number	Saturday, May 19
86 Even Number	Wednesday, May 23
87 Odd Number	Saturday, May 26
88 Even Number	Wednesday, May 30
89 Odd Number	Saturday, June 2
90 Even Number	Wednesday, June 6
91 Odd Number	Saturday, June 9
92 Even Number	Wednesday, June 13
93 Odd Number	Saturday, June 16
94 Even Number	Wednesday, June 20
95 Odd Number	Saturday, June 23
96 Even Number	Wednesday, June 27

Metro-Goldwyn-Mayer

78 Even Number	Saturday, May 12
79 Odd Number	Wednesday, May 16
80 Even Number	Saturday, May 19
81 Odd Number	Wednesday, May 23
82 Even Number	Saturday, May 26
83 Odd Number	Wednesday, May 30
84 Even Number	Saturday, June 2
85 Odd Number	Wednesday, June 6
86 Even Number	Saturday, June 9
87 Odd Number	Wednesday, June 13
88 Even Number	Saturday, June 16
89 Odd Number	Wednesday, June 20
90 Even Number	Saturday, June 23
91 Odd Number	Wednesday, June 27

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions	12.00
Canada and Mexico..	12.00
England and New Zealand	14.50
Other Foreign Countries	16.50
25c. a Copy	

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, JUNE 2, 1928

No. 22

A WRONG WAY--AND A RIGHT

The Tenth Clause of the New Standard Exhibition Contract reads as follows:

"The Exhibitor shall not be required to accept for any photoplay described in the Schedule as the photoplay of a star, or of a director, or based upon a specified story, book or play, or by an identifying description, any other photoplay of a different star or different director, or based upon a different story, book or play, or not corresponding to such identifying description, as the case may be. . ."

In other words, when a distributor offers you a picture that is not based on the story you bought, or is not acted by the star or directed by the director specified in the contract, or, if the picture is not, in general, such as can be identified as the picture you contracted for, you are not obligated to accept it.

In its trade paper inserts, by which it announces its program for the 1928-29 season, Paramount has the following notation:

"NOTE TO EXHIBITORS. A new world. Tastes ever changing. Paramount wants to take advantage of new developments for your benefit. This announcement, being made in part in advance of the photoplays announced, is necessarily based upon present plans and must not be considered part of any written exhibition contract."

In other words, the Paramount executives say that they do not promise to deliver the pictures as described in the announcement, because they may change them, "as tastes change"; but they do promise that whatever changes they may make they will make them for your benefit.

Now, in this article, I am not going to question the sincerity of the Paramount executives, who assure you that they will make whatever changes they find necessary to make for your benefit. But I will question their right to impose on you substitutes without your consent.

On January 28, 1927, the Appellate Division of the Supreme Court for the Southern District, New York City, in the case of Continental Insurance Company and Fidelity Fire Insurance Company vs. Equitable Trust Company, decided that the defendant Equitable Trust Company was responsible for the statements made in its prospectus by which it offered for sale stock of the Green Star Steamship Company. The Equitable Trust Company had printed at the bottom of the prospectus, in small type, the following:

"Although the information contained herein is not guaranteed, it has obtained it from sources we believe to be reliable and is the information on which we have acted in this matter."

I am not a lawyer, but common sense ought to tell one that the case of Paramount is analogous to that of the Equitable Trust Company, and therefore, if Paramount cannot produce the pictures according to the descriptions in the Annual Announcement, on the strength of which they are offering their pictures for sale to you, at least they cannot force you to accept them, if they should be delivered to you different from the description.

There is, in my opinion, only one way for Paramount to be relieved from the obligation of delivering their pictures not in accordance with the description in that announcement: they must furnish another description to the exhibitor at the time he signs the contract, so that he will know what he is contracting for.

To sum it all up, the distributor must furnish the pictures in accordance with the description in the contract or in prospectuses, or in the announcements issued at the time, or prior to the time, the exhibitor signed the contract. If they cannot so furnish them, they cannot force them on the exhibitor, for such pictures are substitutes. And substitutes are forbidden by Clause Ten of the New Standard Exhibition Contract.

What is true of Paramount is true of the other producer-distributors.

The evil of substitutions is not as bad now as it was two years ago and before. The exposé that this paper has been making of the substitutions has proved somewhat of a check. But under the block-booking system, this evil cannot be eliminated entirely. The producers find themselves up against it often.

At times, substitutions are justified; at times they are not. You have no way of knowing when they are justified and when they are not. Substitutes have often been made so that the producer might refrain from delivering to you a picture, just because it turned out to be good, to sell it to you the following season at high prices. That is why it is necessary for you to refuse all substitutions.

In case a distributor comes to you with a hard-luck tale in an effort to induce you to accept substitutes, tell him that you will be glad to do so on condition that they be subject to screen examination, either by yourself or by your representative. This paper will be glad to act as your representative in substitution matters, screen-examining the substitutes and making a report to you through these columns. In this manner you will not be taking any chances.

This season more than ever you must use wisdom in your purchase of pictures. Exercise good judgment!

WHERE IS THAT PROSPERITY?

In the Metro-Goldwyn-Mayer 1928-29 announcement in the trade papers, Mr. Nicholas M. Schenck says:

"The present era of prosperity means that the public has plenty of money to spend. . ."

I wonder where Mr. Schenck got his prosperity information from! From the books of his company? Yes! But not from the books of the exhibitors.

The trouble with Mr. Schenck is that he does not distinguish a prosperity from a prosperity. We know that his company is prosperous. But he does not tell us how many exhibitors' box offices had to be depleted in order to make it so.

Take it from me! If you pay to Metro-Goldwyn-Mayer and to the other producers the coming season as much as you paid them the current season, next year the poorhouses of the country will be full of exhibitors.

Here are some of the Metro-Goldwyn-Mayer 1927-28 "lemons":

"Annie Laurie," with Lillian Gish; "The Road to Romance," with Ramon Novarro; "Body and Soul," with Norman Kerry; "In Old Kentucky," with James Murray; "The Garden of Allah" (good picture but poor drawing card); "Becky," with Sally O'Neil and Owen Moore; "Man, Woman and Sin," with John Gilbert; "London After Midnight," with Lon Chaney; "Lovelorn," with Sally O'Neil; "Quality Street," with Marion Davies (a good picture but 'flat' as a drawing card); "Wickedness Preferred," with Lew Cody and Aileen Pringle; "The Student Prince," with Ramon Novarro; "Rose Marie," with Joan Crawford; "The Big City," with Lon Chaney; "The Eneniy," with Lillian Gish; "Under the Black Eagle," with Ralph Forbes; "Across to Singapore," with Ramon Novarro; "A Certain Young Man," with Ramon Novarro. Eighteen so far! And there are more to come until the end of the present season.

There is one thing you can say about Metro-Goldwyn-Mayer: they have a wonderful ad writer; he can make black look white. But if it is black, it can't be white.

This year the intelligent exhibitors are going to look for performances, not promises. And the M-G-M performances this season have been, in my opinion, anything but what they promised. Read the list of M-G-M lemons I have just given you and you will know what I mean.

"Lady Be Good"—with Dorothy Mackaill and Jack Mulhall

(First Nat., May 6; 6,615 ft.; 77 to 94 min.)

Not a bad comedy-drama! There is some interest and several mild laughs throughout. The heart interest is created by the loyalty the heroine shows towards the hero, whom she is unwilling to abandon when hard luck stared him in the face. There are a few tilts between them now and then, the cause of them being a villain (John Miljan), a married man, who pursued the heroine. These are no different from the tilts between lovers in real life. The story is backstage life, and presents the hero as a magician, and the heroine as his assistant, who puts pep into his act. They are in love with each other but they have a hard time keeping the wolf from the door. A misunderstanding creeps in between them and they become separated. The hero engages another assistant; but she is dumb. The heroine becomes the villain's dancing partner, but when he tries to get fresh with her she throws a can of powder on his face and leaves him flat. (The villain's wife, arrived on the scene and stepped into the breach just in time to get a powderful, too.) The heroine obtains a position in a restaurant. The hero arrives in that town with his act. The heroine calls on him. Each puts up a bluff so as to make the other believe that everything was "jake." Just as she was about to leave the theatre she overhears the hero scolding his assistant. The heroine quietly calls her to one side, drags her into the room, undresses her, puts on the dress herself, and appears in the act, the hero being unaware of it until he sees her appear. They embrace and vow never again to part.

The plot has been founded on the musical comedy by Guy Bolton, Fred Thompson and George Gershwin. The picture was directed by Richard Wallace.

"The News Parade"—with Nick Stuart and Sally Phipps

(Fox, May 27; 6,679 ft.; 77 to 95 min.)

Evidently some one at the Fox studio wanted to have some fun and made this picture. But I doubt if it will be fun to those that will book it, or to those that will pay to see it. It is nothing but the experiences of a Fox News cameraman and other cameramen—the troubles they have in getting their stuff. But it is hardly possible that people other than those connected with the making of newsreels will feel much interest in what is unfolded. The only noteworthy part of the film is where the young hero is shown high up on the side of a skyscraper, sitting on a projecting plank, and trying to get some "shots." He is shown as being in danger to fall any minute. The effect this scene has on the spectator is the same as the effect similar scenes in "Safety Last" had; they keep one frozen from fear lest the hero fall off the plank and be dashed to pieces on the pavement below.

The plot has been founded on a story by William Conselman; it has been directed by David Butler. Earle Fox, Truman H. Talley, Brandon Hurst, Cyril Ring, and Franklin Underwood are in the cast.

Note: This picture is being offered in place of "French Ankles." Inasmuch "French Ankles" was sold with Madge Bellamy, "The News Parade" is a star substitution and therefore you are not obliged to accept it. I think that Fox has the nerve to sell a picture with Madge Bellamy and to deliver it with Sally Phipps.

"Fazil"—with Charles Farrell and Greta Nissen

(Fox Special; 7,217 ft.; 83 to 103 min.)

If conditions were today what they were two or three years ago, "Fazil" would, I venture to say, cause long lines in front of the theatres where it would be playing. Even as bad as conditions are right now, one would not go wrong in predicting that it will prove the best drawing card on the board, with the exception, perhaps, of "Tempest," with John Barrymore.

"Fazil" is entirely different from what has been pictured

in the past. It is an interesting revelation of the Oriental mind. It is manifest that Pierre Frondaie, a Frenchman, author of "L'Insoumise," on which "Fazil" has been founded, understood the workings of the Oriental mind thoroughly well. The theme is the woman's place in the Mussulman world,—her place in the home and in the heart of her husband. The Oriental wants his woman all to himself; he will not tolerate to the Occidental ways in her. Merely to be seen in company with other men, even though such men may be friends, and even though her conduct may be above reproach, is the worst violation of their moral code on the part of such woman.

The relations of the hero, a chieftain Arab, towards his wife (heroine), a Parisian young Christian girl, forms the foundation of the story.

There is genuine drama all the way through, caused by the conflicting ways of the two principal characters—by the efforts of the hero to dominate the heroine, and by the heroine's determination to resist his domineering ways, unsuccessfully, however.

The most dramatic situations is that in the closing scenes where the hero, shot and dying, exerts his greatest will power to live a few moments longer in order for him to kill his wife, whom he loved with all his heart, so that they might not be separated again, even in afterlife. He accomplishes this by putting on her finger his poison carrying ring; he twisted a screw and pricked her finger. It is as powerful a situation as has ever been seen on the screen. It is real drama, fascinating in the extreme. The desert scenes have been done very well. The entire picture has, in fact, been directed with great skill.

Mr. Charles Farrell, as the Arab Prince, does so well that if "The Seventh Heaven" and "The Street Angel" have not yet made him famous, "Fazil" certainly will. Miss Nissen fits in her part well. It was good judgment on the part of Winfield Sheehan to put her in the part instead of Janet Gaynor, who co-stars in pictures with Mr. Farrell. May Busch, Tyler Brooke, John Boles and all the others that appear in the supporting cast, do good work.

The picture has been directed by Howard Hawks. This work puts him in the very front rank of first-line directors.

"The Drag Net"—with George Bancroft

(Paramount, May 26; 7,866 ft.; 91 to 112 min.)

A powerful underworld melodrama, of the "Underworld" type. Only that Mr. Bancroft this time is not a criminal: he is a captain of the detective force, bent upon exterminating the crooks and cleaning out the town. For this, he awakens considerable sympathy. In many respects "The Drag Net" comes up to the standard of the "Underworld." So powerful its situations are. The scenes, for example, where the hero enters the lair of the crooks alone, having been lured there by the crooks themselves, who used the hero's bodyguard as a decoy, is extremely suspenseful. But the most suspenseful of them all are the scenes where the hero, having been told by the heroine that it was not he that had killed his pal but the leader of the crooks, goes up the stairs into the lair. He is wounded by a shot, fired by one of the crooks, but he is not deterred from going right into the room. This situation reminds one of the situation in "The Big Parade," where the soldiers, including the hero, with fixed bayonets were marching right into the jaws of death. There is considerable shooting, in engagements between the police and the crooks, causing thrills. The scene where the hero is shown picking up the dead form of his young associate and squeezes the young man's head against his breast, indicating deep sorrow at his loss, is deeply moving. The courage of the heroine in telling the hero who had killed his pal, fully knowing that such a confession meant her death, is suspenseful in the extreme. The heroine awakens considerable sympathy in that scene. The love affair between the detective-hero and the crook-heroine has been done well. The acting reminds one of the Chicago machine-gun shootings.

The plot has been founded on the story by Oliver H. P. Garrett. It has been directed with great skill by Joseph von Sternberg, the very same director who directed "Underworld." Mr. Bancroft is as good in this picture as he was in "Underworld." So is Evelyn Brent, as the heroine. William Powell is the villain; Fred Kohler the villain's pal; Leslie Fenton the hero's pal.

"The Upland Rider"—with Ken Maynard*(First National, June 3; 5,748 ft.; 66 to 82 min.)*

Not as strong as some of Mr. Maynard's former contributions, but it is a good western melodrama, just the same. Mr. Maynard is again given an opportunity to display his riding skill. His horse Tarzan, too, again displays intelligence. There is considerable heart interest all the way through, caused by the fact that the hero again takes up the cause of the abused. There are several thrills, caused by encounters between the hero and the villain. But the most thrilling situation is that of the relay horse races, in which the hero unexpectedly appears and wins the race for the father of the girl he loved.

The plot has been founded on the story by Marion Jackson. Marion Douglas takes the part of the heroine, and Lace McGee that of her father. Sidney Jarvis, Robert Walker, Bobby Dunn and others are in the supporting cast. Many fine horses appear in the picture.

"Adventure Mad"—with a German cast*(Ufa-Paramount, March 31; 5,897 ft.; 68 to 84 min.)*

It is an imposition on the part of Paramount to force this picture on you. It is good only for adults with the intelligence of five-year-old children. It is about a wealthy Englishman, a lord, who is bored with the quite life he is leading in his villa in Italy, and craves for adventure. His butler is a confederate of some crooks, who want to take as much money away from him as they could. Another of the confederates is a woman, with whom the lord-hero seems to be infatuated, much to the chagrin of his wife. The crooks succeed in luring the hero to Cairo, Egypt, where they had sent him in search of a "coo-coo" clock, which would give him a clue to a code that would uncover a treasure hidden somewhere. The crooks, of course, had their connections with other Cairo crooks, and the Lord is made a prisoner in a den in Cairo, where crocodiles were kept. They tried to force him to give them the combination of his safe at home, where he had been keeping valuable jewels. His wife, however, who had followed the crooks disguised in man's clothing, with the aid of the police rescues him.

It is a wild tale fit not even for children. Lothar Mendez directed it. It was produced in Germany.

Paramount will show big nerve if they were to force any exhibitor to play it:

"Dont Marry"—with Lois Moran and Neil Hamilton*(Fox, June 3; 5,708 ft.; 66 to 81 min.)*

Mildly amusing. It is a comedy-drama, in which the heroine (Lois Moran) is presented as a young lady, who is under the protection of her puritanically-minded aunt. But the heroine likes the life her aunt denies her; she likes to swim, to be dressed in a tight-fitting bathing suit, and to smoke a cigarette now and then as well as to dance; in short to do everything the other young women do. She meets a young man (Neil Hamilton), and is attracted by him. But he does not like modern women; he prefers the old-fashioned ones. He is shocked by the heroine's free ways, but he is soon cured of his old-fashioned ideas about women; the heroine, helped by his uncle, brings this result about.

There is a laugh here and there. The interest is maintained fairly tight. But no one will remember it very long after leaving the theatre.

The plot has been founded on a story by Philip Klein and Sidney Lanfield; it was directed by James Tlingling. Henry Kolker, Claire McDowell, and Lydia are in the cast.

"Man in the Rough"—with Bob Steele*(F. B. O., May 20; 4,785 ft.; 55 to 68 min.)*

Not much to it. This is another formula Western, with mild suspense and action. This time the hero saves the heroine and her father's gold mine from being bought very cheap by the villain. When the hero loses his horse and ropes a wild one, he wins in a game of poker a complete outfit and also the wallet from the notorious outlaw, who,

too, lost his horse. After meeting the heroine and learning that her father was suspicious of all strangers, he looks up the villain who has sent a letter to the outlaw asking him to come and do a dirty job for him. This letter the hero finds in the wallet. The hero poses as the outlaw and learns that the villain wishes to kill the old mine-owner and to take the gold mine. The hero dashes away to warn the heroine and her father and in the meantime the real outlaw, having told the villain that he had been fooled, goes with the villain after the hero. They meet in the cabin and a wild fight takes place. The outlaw is licked and the villain chased out of the country. Hero and heroine become sweethearts.

The usual hard riding and fighting takes place, to, in this tame western. The picture is based on the Adventure Magazine story "Sir Piegan Passes," by W. C. Tuttle. It was directed by Wallace Fox. Other in the cast are Marjorie King, Tom Lingham, Wm. Norton Bailey and Jay Morley.

"Laugh, Clown, Laugh!"—with Lon Chaney*(Metro-Goldwyn-Mayer, April 14; 7,045 ft.; 81 to 100 min.)*

It is doubtful if Mr. Chaney has ever appeared in as good a picture. It is full of heart throbs. The story from the very beginning impresses one deeply; one feels that something worthwhile will happen in it. And one is not disappointed. The story idea is that of a clown who was forced to laugh while his heart was breaking; and of a nobleman, who, because of continuous dissipation, had laughing spasms, from which he could not control himself. Both loved the same girl. With this thought as a foundation, the author built up a plot which at times tears one's heart out. Mr. Chaney is superb as the clown. He makes one realize his mental state vividly. The closing scenes, where he is shown performing his death-defying act, and committing suicide, are the most pathetic of them all; particularly the one that shows his old pal holding his head in his arms showing the hero expiring. The plot has been founded on the stage play by Tom Cushing and David Belasco. It has been directed by Herbert Brenon with great skill. Mr. Chaney is sympathetic in the part of the clown in hopeless love. Loretta Young does very well as the heroine. Bernard Siegal is good as the hero's partner in the act. Cissy Fitz-Gerald, Nils Asther and Gwen Lee are in the cast:—

A clown, working for a travelling circus in Italy, finds a baby girl abandoned in the woods. He takes her and rears her. The girl grows to womanhood and blossoms into a beautiful woman. He falls in love with her, but realizing that he is too old to be her husband, keeps his love to himself. The heroine meets accidentally a dissolute Italian Count, while she was in his garden plucking a rose. She escapes from him, but her beauty leaves an indelible impression in his memory. Months later the clown and the count meet accidentally in a neurologist's office; the clown was afflicted with crying spells, because of the love he could not realize, and the count with laughing spells, because of the dissolute life he had led. The doctor advises both to fall in love and win the woman as the only cure. The heroine misinterprets the motives of the count while she was in his home and after upbraiding him she leaves him. The hero, thinking that the count wanted to make a plaything out of the heroine, upbraids him and then insults him. The count resents it and upbraids the clown. A note, sent by the count to the heroine with a string of pearls, had not been read by her. When she reads it and finds out that the pearls were the hero's mother's, and that the hero had asked her to wear them as his wife, she realizes that she had misjudged him and begs his forgiveness. The clown realizes that the count loved the heroine. He then confesses to the count that he, too, loved her. The count suggests to him to propose to her first. The clown induces the hero to be the first to propose. The heroine accepts the count. But soon she feels lonesome for the hero; she calls on him, and finding him sad, realizes what was the cause of his sadness. She tells him that she loves him and that she would not be parted from him again. The hero, thinking that the heroine had told him that she loved him only to make him happy, decides to commit suicide and thus make it possible for the heroine to be happy. He lets himself drop from a great height while performing his death-defying act. He is killed.

It should draw big crowds in any theatre and please them.

WARNER BROS. AND THEIR NEW PRODUCT

I notice that the Warner Bros. insert in the trade papers, announcing their 1928-29 product, is just like the announcement for the 1927-28 products. It offers 18 pictures for sale; but it does not state what these 18 pictures are going to be. No stories, stars or directors are given. I hope that you will take this fact into consideration when you make up your mind to buy that product.

Oh, yes! It promises four Extended Run pictures: "Tenderloin," with Dolores Costello and Conrad Nagel; "Glorious Betsy," with Dolores Costello and Conrad Nagel; "The Jazz Singer," with Al Jolson, and "The Lion and the Mouse," with May McAvoy and Lionel Barrymore.

Now, "Tenderloin" is not a very good picture, in that the hero, as I said in the review, is unsympathetic; he is a crook. And it is hard for any one to sympathize with a crook.

"Glorious Betsy" is a good picture; with the Vitaphone, it could be classed as Big, although it cannot be put in the two-dollar class. But it is not setting the world afire at the Warner Theatre, this city, where it is now playing. The reason for it is, in my opinion, first, the high admission prices charged for it, and secondly, the fact that it is a costume play.

"The Jazz Singer" is a great picture when accompanied by the Vitaphone; it makes Al Jolson appear as if he were before one in the flesh. The scene where he sings to his mother, sitting in the orchestra, is the greatest combination of talking and moving screen shadows one will see for a long time. But without the "voice," the picture has fallen flat.

"The Lion and the Mouse" is founded on the stage play by Charles Klein. The play was very good. This play was put into pictures once before, by Vitagraph. It was good at that time and it will, no doubt, be good also this time. With the Vitaphone, it ought to make a very, very good entertainment. In my opinion, it is a sure bet, even without the Vitaphone.

In reference to the Warners' 18, I may say that if you want to take a chance at buying a pig in a bag, go to it; if you want to know what you are buying, then ask Warner Bros. what the stories are going to be, who will be the stars that will appear in them, and who the directors that will direct them. Get this information now so that you may not regret it afterwards; no one will be able to help you then.

A TEMPORARY SUBSTITUTE FOR THE BROOKHART BILL

We have tried hard to bring about the passage of the Brookhart Bill during this session of Congress, but we have not been successful. The opposition we met has been stiff. But the bill is not dead; it is in committee, and in all probabilities Senator Brookhart will not make an attempt to have it reported out until the next session.

But you should not get discouraged; work for it whenever you have an opportunity. Try to influence your women's clubs and other organizations.

The Brookhart Bill would have made blind-booking unlawful, just as it is in Great Britain now; no foreign producer can sell pictures there unless he has made them. Under this bill, you, too, would be given an opportunity to see the pictures before buying them, or at least to receive a report on them from some reliable source.

Since you are not able to see, by law, the pictures that you want to buy, why not make it a rule to do so without a law? The producer-distributors this year are again boosting their wares to the sky limit. Why not make them show you the pictures that they have already made? Make them do it before you buy; you will at least have a chance to judge the remainder by what the quality of the completed product is. Let them SHOW you! Tell them you are from Missouri.

I am writing to all the producer-distributors informing them that I shall be only too glad to review all the pictures from the new product that they have completed. I am willing to devote most of my time in the next eight weeks looking at the new product. If they should be afraid to show it to your representative, why should you take their word for it?

Wait for a report before you buy pictures! My time is yours! Let the producer-distributors take advantage of it to prove to you that what they say IS so!

POOR BUSINESS IS NO EXCUSE FOR BEING RELIEVED OF THE CONTRACT

From time to time I receive letters from exhibitors asking me if, in case they close their theatres down for lack of business, they are obligated to pay for the film left unplayed.

The closing down of a theatre for lack of business is no excuse for cancelling either all or part of a contract. Clause 18 of the Standard Contract specifies the causes for which an exhibitor may be relieved either of part or of the whole contract. And poor business is not one of the causes.

Most of this kind of letters come to this office just as summer approaches.

It has often been a wonder to me why you book pictures in advance for twelve months! Why not buy only for nine months, and, when the summer approaches, you may buy whatever you need for the summer months in case you should decide to keep open during the summer? A plan such as this should prove of the greatest benefit for two reasons: If you should decide to close down, you would not be burdened with contracts which you must carry out when you reopen, thus playing stale pictures; in case you should decide to remain open, you would then be able to buy pictures at a price commensurate with the possible summer business.

I have always advocated the closing down of theatres during July and August. Such a policy is beneficial for many reasons. It gives you an opportunity: to clean and redecorate your theatre, thus causing an impression of prosperity; to select a ten-month program out of twelve-month offerings; to rest; it gives your customers an opportunity to rest, so that, when you reopen, they come to your theatre "hungrier" than ever.

Try it! Do not be influenced by the fact that your competitor may keep open. Keep on your newspaper advertisements during the shut-down period, so that you may continue to keep in touch with your custom, and I am sure that, when you reopen, they will all come back to you to a man.

FOX OVERSTATEMENT

In the Fox 1928-29 announcement, which has just appeared in the trade papers, two pages are devoted to the six pictures, "Street Angel," "Four Sons," "Mother Machree," "Sunrise," "Mother Knows Best" and "The Red Dance," in a combined advertisement. The following line is contained in the one page: "Big Broadway Hits."

What are the facts?

"The Red Dance" and "Mother Knows Best" have not yet been shown on Broadway; so a statement such as this is not representing the facts correctly.

Of the others, "Sunrise" has not made a hit; it is a first-class big production, well enough, but in its 28 weeks it lost money at the Times Square Theatre, where it played.

"Mother Machree" was withdrawn from the Globe, in order to make room for the "Street Angel," and put in the Times Square. It is not making what one would call a hit to entitle it to be classified as a "Broadway Hit." Perhaps the fault lies in the theatre, for the picture is the best mother-love story that has ever been filmed; perhaps it is another reason. The fact remains, however, that it is not making a hit, in the sense that "The Big Parade," "What Price Glory," "Seventh Heaven," "The Ten Commandments," and "The Covered Wagon" made.

"Four Sons" is standing up only fairly well at the Gaiety; it is not setting the world afire.

"Street Angel" is making a good Broadway hit.

Fox has one picture that he has not told you very much about it yet: "Fazil." I am predicting that this picture will make a great hit, unless it is "muffed" in the handling, a thing which I doubt; it will stand quite a little "rough" handling. Now, if they had made overstatements about this picture, HARRISON'S REPORTS would have forgiven them; it deserves anything that may be said about it.

I want to be fair towards Fox just as I want to be towards every other producer-distributor. But it is necessary for Fox to be fair with you, too. And telling you that "Sunrise" and "Mother Machree" have been Broadway hits, and that "The Red Dancer" and "Mother Knows Best" have been shown on Broadway and have made a hit, when they have not yet been shown there, it is not treating you fairly. ("Mother Knows Best" has not even been made yet.)

Another article on "Talking Pictures" will be printed in these columns next week.

HARRISON'S REPORTS

Yearly Subscription Rates:
 United States.....\$10.00
 U. S. Insular Possessions..... 12.00
 Canada and Mexico..... 12.00
 England and New Zealand..... 14.50
 Other Foreign Countries..... 16.50
 25c. a Copy

1440 BROADWAY
 New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
 Devoted Exclusively to the Interests of Exhibitors
 Its Editorial Policy: No Problem Too Big for Its Editorial Columns, if It is to Benefit the Exhibitor.

Published Weekly by
 P. S. HARRISON
 Editor and Publisher
 Established July 1, 1919
 Tel.: Pennsylvania 7649
 Cable Address:
 Harreports
 (Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, JUNE 9, 1928

No. 23

TWO-DOLLAR "HITS" AND "FLOPS"

As in former years, the producer-distributors will again use their so-called two-dollar pictures to help them, not only to sell their program stuff, but also to "jack up" the prices. For this reason it is necessary for you to know how these pictures performed at the box office in this city and in other cities where they have been shown, so that you might not be left at the mercy of the producer-distributors' representatives, who will no doubt present you with fictitious figures, such figures being what their Home Offices will have furnished them. Accordingly, I am keeping in close touch with such pictures, with a view to presenting you with actual figures, or with figures that are as nearly accurate as is humanly possible for one to obtain through independent sources.

This week I present you with the information that I have been able to secure of pictures that have so far been shown in this city and in some cases in other cities.

In order to furnish you with a foundation on which to stand in determining what price should be fair for you to pay for the different two-dollar pictures, I am pressing into service "What Price Glory" and "The Big Parade."

If we should assume that you paid \$1,000 for "What Price Glory" or for "The Big Parade," then a good price for you to pay for "Street Angel" should, in my opinion, be \$500.

Let us now give "The Street Angel" 100 points and give the other two-dollar pictures the points they, in the opinion of this paper, deserve by how they performed at the box office in comparison with "The Street Angel":

STREET ANGEL	100 P
FOUR SONS	70 P
SUNRISE	35 P
MOTHER MACHREE	45 P
ABIE'S IRISH ROSE	35 P
UNCLE TOM'S CABIN	70 P
THE MAN WHO LAUGHS	90 P
TEMPEST	125 P
TWO LOVERS	50 P
RAMONA	70 P
GAUCHO	50 P
DRUMS OF LOVE	25 P
WINGS	150 P
TENDERLOIN	25 P
GLORIOUS BETSY	45 P
TRAIL OF '98	100 P
FAZIL (Only at its first week)	Probably 85 P

According to this schedule, if instead of having paid \$1,000 for "What Price Glory" or "The Big Parade" you paid only \$200, then you will naturally make up your mind (provided you accept the opinions expressed in this editorial) to pay for the "Street Angel" only \$100. With this as a basis, you should pay \$35 for "Sunrise," \$125 for "Tempest," \$25 for "Drums of Love," \$45 for "Glorious Betsy," and so on.

Let me now give you the reasons that prompted me so to classify them:

"STREET ANGEL," Fox, with Charles Farrell and Janet Gaynor: "Street Angel" is doing well at the Globe Theatre, this city, where it is playing. According to my information, not obtained from Fox, in the first two weeks it grossed nearly capacity, which is \$16,000. But it fell off with the opening of "The Man Who Laughs," which is yet playing at the Central Theatre, next door to the Globe. The Globe has 200 more seats than the Central. Since it opened, "Street Angel" has averaged \$9,000. It is a good picture, and the kind that can hold out on a long run without dropping perceptibly, but also without increasing perceptibly. Under normal business conditions, this picture ought to have played to capacity houses for several

months; under the conditions that prevail now, the business it is doing may be considered very good. In the small towns it ought to do well if it should be exploited in the different key cities as it is being exploited in this city. If so, exhibitors paying fifty per cent. of what they paid for "What Price Glory" or for "The Big Parade" would be paying a good price for it. It is an extremely well made picture; it was reviewed on page 63.

"FOUR SONS," Fox: This picture closed its engagement at the Gaiety last Sunday, after a run of 16 weeks; it opened February 13 and closed June 3. According to my private information, obtained from independent sources, in the first eight weeks of its engagement this picture averaged \$10,000. During the week ending May 26, \$6,800 were taken in. The closing week was around \$6,000. To make it look big, many free tickets were given away. People willing to pay cash had to be turned away that week. Its average in the 16 weeks was around \$7,500. So 70 points for this picture is a liberal classification. In other words, if you should pay \$100 for "Street Angel," then \$70 should be a very good price for "Four Sons." It is a good picture, well enough, but its production is not as high class as that of "The Street Angel," and hasn't big names in it. The story is not as smooth, and much of it is illogical. It is, nevertheless, a good entertainment. You will find the review on page 39.

"SUNRISE," Fox: In the issue of March 3, under the caption "Flops and Hits," I printed the following about this picture: "'Sunrise' has been given a forced run in this city. It is reported that in Newark, at the Fox Terminal, it drew big crowds; but it is reported also that it is 'dying' in Detroit. It is an extremely artistic production but it will no doubt appeal to a limited number; the rank and file will hardly care for it." As a result of this statement, James R. Grainger, General Sales Manager of Fox Film Corporation, wrote me a letter complaining that my statement was wrong and not fair to the picture. He asked me to call at his office to show me the figures so that I might get the facts. (I printed this letter in the issue of March 17.) I called at his office and was given by him a table of figures showing that "Sunrise" averaged in the 28 weeks of its engagement a figure between \$7,500 and \$8,000 a week. I have now been informed that those figures were padded, and that the correct average of this picture has been between \$4,500 and \$5,000 a week. At such a figure as the average, "Sunrise" has not made a "Broadway Hit," as the Fox advertisement asserts. The opening day was for the trade. The second day it drew 1,500; the third day it drew about 1,600; the fourth about 1,700. But it started sliding from that day on, until the last few weeks it was pitiful. The closing week was about \$3,000. The house seats 1,033. At the \$2 scale, it can gross \$18,000 a week. At the average of between \$4,500 and \$5,000, the picture must have lost a fortune. The weekly expense for advertising was not less than \$3,500 and in the opening weeks more. With normal advertising in the newspapers this house cannot be run for less than \$10,000 a week. The rent alone is \$4,500 a week. In Detroit I don't know what it took in the first three weeks but I do know that the fourth week it drew only \$5,300. The Fox salesmen were asserting that it drew \$10,000; but \$5,300 is the correct figure; they bank weekly in that city and I have been able to get the correct figures for that week.

Fox claims that in Newark it drew big business—\$20,000 the first week, in a "dump," as they call Fox's Terminal, in that city. I have no independent figures, and so I cannot say that the figures given me by Fox are wrong. But I do know this, that my secretary was in that

(Continued on Last Page)

"Home James"—with Laura LaPlante*(Univ.-Jewel, Sept. 2; 6,307 ft.; 73 to 90 min.)*

A good comedy, with a farcical twist in it. The interest is held well all the way through. The comedy is caused by the heroine's efforts to hide from her stepmother and her stepsister, who had gone to New York to pay her a visit, being under the impression that she had made a success as a portrait painter, the fact that she had been working in a department store for a living. More comedy is caused by the complications that arise when the hero, son of the owner of the department store, falls in love with the heroine, whom he had met accidentally; she had taken him for a chauffeur. Of course, all the entanglements are disentangled in the end, causing no little merriment.

The picture has been directed by Mr. William Beaudine with skill, from a story by Gladys E. Johnson. Charles Delaney does well as the hero. Miss La Plante is good as the heroine. Aileen Manning, Joan Standing, George Pearce, Arthur Hoyt, Sidney Bracy and others are in the cast. Arthur Hoyt contributes a share of the comedy.

A good light entertainment.

"Wild West Romance"—with Rex Bell*(Fox, June 10; 4,921 ft.; 57 to 70 min.)*

This is the first picture in which Rex Bell appears as a star; and if one is to judge him by his work in it, he will become popular with the followers of Western melodramas if Fox should give him good stories. He has a pleasant personality and is a good actor, particularly a good rider. His former experience in pictures was when he appeared in a dozen or so Buck Jones pictures.

"Wild West Romance" is a good program melodrama, with pretty fast action and fairly tense suspense. It shows the hero finding a stray boy of seven and adopting him. Later he and the "kid" notice some Indians holding up the stage. Evidence left on the scene of the holdup reveal to the hero that the hold-up men were not Indians, but white persons masquerading as Indians. The hero is accused of having held up the stage. But he eventually proves his innocence, catching the real thieves.

There is a love affair in it, of course, which is fairly charming. The plot has been founded on a story by John Stone. R. Lee Hough has directed it.

"The End of St. Petersburg"*(Regional; releasing arrangements not yet made)*

This is a picture for cracaloos and other nuts, of whom this city abounds. And the evidence of it is the fact that they have been crowding into the Hammerstein Theatre, where it is now playing. It is an amateurishly produced picture; it reminds one of the days when pictures first came into existence, and no one knew how to make them. The direction is crude, the acting cruder, and the continuity without any connection; it is just like language without connectives to enable one to express himself coherently. The atmosphere is sordid, to such an extent that it leaves one in a frame of mind one finds himself after returning from a funeral. The characters start eating potatoes with their coverings, and end eating potatoes with their coverings. The picture is supposed to be a representation of the events that led up to the revolution in Russia, when Kerensky formed a government; and later when the Bolsheviki overthrew Kerensky and established the Soviet Republic. It is propaganda pure and simple. It no doubt would have been acceptable in this country, if it had been produced artistically. It is manifest that the Russian producers have a long way to travel before reaching a point where they can make a picture that could prove presentable to American audiences.

"A Midnight Adventure"—with Edna Murphy and Cullen Landis*(Rayart; May; 5,262 ft.; 61 to 65 min.)*

A good program picture. It is a mystery melodrama, full of thrills and suspense. The spectator's interest is held tight throughout because of the fact that real murderer is not disclosed until the end. The thrills are caused by the mysterious persons appearing and disappearing from the scene of the murder, and by the fight behind a curtain when the real murderer is captured by the hero.

The story revolves around a villain who had won the affections of many women only to blackmail them later. At a week-end houseparty, where are two of his victims, the wife of his host, and a guest, he is murdered. The heroine is suspected because she had been the last person seen to enter his room; she had gone there to retrieve the letters sent to him by her sister, the hostess, which letters

he refused to give up. The district attorney and the hero are both in love with the heroine, but when the heroine is under suspicion the district attorney believes her to have had relations with the villain because she would not tell him why she had been in his room. The hero, however, has faith in her and finds out that the real murderer is a burglar who had gone to steal the \$5,000 which the villain had collected from his victims. He had posed as a detective after he had trapped the real detective and locked him in a closet when he, the burglar, was about to make his escape, after having shot the villain.

The scene where the district attorney questions all the guests is very suspenseful; everyone suspects everyone else, each having a motive for wanting the villain out of the way. Sympathy is aroused for the heroine, who refuses to tell the real reason for her having been in the villain's room, and also for the hero, who assumes blame for the murder, so that his sweetheart might be cleared of guilt. The spectator is greatly relieved when the burglar is revealed as the real murderer of the villain, who is a thoroughly detestable fellow and deserves his punishment. The story was adapted by Arthur Hoel and was directed well by Duke Woerne. Others in the cast are Ernest Hilliard as the villain, Jack Richardson, Allan Sears and Virginia Kirkley.

"Has Anybody Here Seen Kelly?"—with Bessie Love and Tom Moore*(Universal-Jewel, Sept. 16; 6,243 ft.; 72 to 89 min.)*

A good comedy-drama. It is a story of a buck private, who told every girl he met while in France that he would marry her if she would go to America. The heroine took him at his word; after the death of her mother, she embarks as a stewardess and, when she reaches New York, runs away from the boat while the guards were not looking. She has the time of her life finding the hero, but as he was a policeman she chanced to come upon him. To get rid of her he gives her his card, and she goes to his home and settles there. When he arrives in the evening, he is shocked to find her there; but he cannot shake her off. Some gossip goes around among the neighbors, because the heroine lived under the same roof with the hero without being married to him; but the landlady, who is convinced that the heroine is a good girl, takes care of the gossips with the rolling pin. The heroine makes a real home for the hero, until the hero realizes it and decides to marry her. But the heroine, who had been hurt by an inadvertent remark made by the hero, takes her "belongings" and heads for the immigration bureau. The hero, however, rushes there, grabs her, and takes her to the justice of the peace, by whom they are married.

Most of the comedy is caused by Miss Love's good acting. Tom Moore, too, does good work. Tom O'Brien, Kate Price, Alfred Allen and others are in the cast; they do good work. The plot has been founded on a story by Leigh Jason; it has been directed by William Wyler well.

"Freedom of the Press"—with Marceline Day, Lewis Stone, Malcolm McGregor, and Henry B. Walthall*(Univ.-Jewel, Oct. 28; 6,479 ft.; 75 to 92 min.)*

This picture reminds one of the story of the murder of Mr. Mellet, editor of a newspaper in Canton, Ohio. It is a melodrama with a newspaper office as the background, in which a crooked politician tries to intimidate an honest editor from carrying on his expose, and an honest editor refuses to be intimidated, death being his reward. The plot is complicated by the fact that the son of the editor is in love with the politician's ward, whom the politician was greatly fond of. In consequence, the young man tries to interfere with his father's work, because he did not want to cause pain to the girl he loved. After his father's death, however, he takes up the work himself, and carries it to a conclusion. The crooked politician commits suicide, but not until after he had advised the young folk to marry. There is a thrilling fire in the picture, the newspaper office being shown as having been blown up, and the hero sticking by the press until most of the issue, which contained proof of the politician's guilt, had been printed, all remaining at their post until the fire nearly reached them.

There is good heart interest all the way through. One feels sympathy with the young hero's father for being willing to risk his life rather than give up his expose of crooked politics and crooked politicians. The plot has been founded on a story by Peter B. Kyne; it has been directed by George Melford with skill. Lewis Stone, as the politician, does good work. So does Henry B. Walthall, Marceline Day, Malcolm McGregor, and all those that appear in the cast.

"Dawn"—with Sybil Thorndike*(Selwyn-Regional)*

So much controversy had been created by this picture that when I went to the Times Square to see it I expected to find a picture that offended the Germans "terribly." My surprise, therefore, was great when instead of finding a picture offensive to Germans I found one that is derogatory to the Allies, for it was an Allied soldier that betrayed Nurse Cavell to the German military authorities. The Germans are held in a wonderful light all the way through. The first person to do credit to the German people was the German officer who had refrained from giving Nurse Cavell away when he discovered her harboring an Allied aviator, who had been downed by the Germans inside the German lines, and who had been taken from his hiding place by Nurse Cavell to her hospital. The second German to show the great heart of the German people was the keeper of Miss Cavell during her incarceration. Several times this soldier appeared with a sad face, showing that he sympathized with Miss Cavell for her fate. But the one character that shows the German people in their truest light is a soldier Rammiller, one of the members of the firing squad, who is shot and killed by his officer, because he refused to shoot, preferring death for himself to shooting a woman.

The picture contains real drama. There is deep heart interest and suspense. The scenes that show Miss Cavell hiding in the cellar of her hospital Allied refugees, soldiers as well as civilians, and spiriting them out of Belgium through the "underground" channels that she had created, hold one in tense suspense. Miss Sybil Thorndike, a famous English actress, who came out of her retirement to take the part of Nurse Cavell, does marvellous work; she makes one feel as if nurse Cavell had come back to life. The picture is impressive in the extreme. It has been handled by Herbert Wilcox with the delicacy with which the nation he belongs to is noted. No bitterness against the Germans is evidenced anywhere in the film. The slur is against militarism, not only the German but of all nations. Madame Bodart, who takes the part she played in that drama in real life, imparts to the picture a realism that it would be hard to impart otherwise; one feels as if the picture episodes represent the actual episodes in which she was present. Gordon Craig, Marie Ault, Micky Bradford and many others are in the cast; all do good work.

None of those that will see "Dawn" will be disappointed.

"His Tiger Lady"—with Adolphe Menjou*(Paramount, June 9; 5,038 ft.; 58 to 72 min.)*

As boring as a picture as Mr. Menjou has ever been in. There is really nothing to the story, which deals with a hero, super in a theatre, who falls madly in love with a beautiful woman, occupying a box every evening. The members of the company become aware of his infatuation for the beautiful woman and "kid" and taunt him as well as play jokes on him. The hero, who had been taking the part of a Maharajah in the cast, is so broken-hearted over their taunting and over the fact that he could not get near the woman he loved, that he puts on his Maharaja's suit, goes to the hotel where the beautiful heroine was being entertained constantly by dukes, counts, and other nobles, and poses as a Maharajah. The heroine becomes attracted by his fine bearing. He makes her acquaintance deliberately, follows her to her apartment, and eventually makes her fall in love with him. Soon, however, the hero discovers that the beautiful woman he took for a wealthy woman is none other than a chorus girl, working in the same theatre. Each is surprised, but pleasurably. The hero is glad that she is not wealthy. They marry.

A fortune must have been spent on it, but in vain. The plot has been founded on Alfred Savoir's play, "Super of the Gayety." It has been directed by Hobart Henley. The locale is Paris, France. Evelyn Brent is the heroine.

"The Street of Sin"—with Emil Jannings*(Paramount, May 26; 6,218 ft.; 72 to 88 min.)*

This is the first picture that Mr. Emil Jannings made in America, and the executives of Paramount held it back until this time. Judging by its quality, one feels that they did a wise thing to hold it back, for if they had not, they might have killed Mr. Jannings' popularity. It would have, in fact, been wiser for them if they had never released it, pocketing their losses and saying nothing about it; for it is not an entertainment, and much is shown in it that had better not been shown. The story unfolds in London's Limehouse district, and the misery of that district, its filth, its immorality, is paraded in the picture. Mr. Jannings is

presented as an underworld character, whom every other underworld character feared because of his great physical strength. He lives with a woman of the lowest type imaginable. A Salvation Army lass goes into the saloon to convert the sinners and the hero becomes fascinated by her beauty. He plans to discard his woman and to make the Salvation Army lass (heroine) as his new woman, because she looked better. In the end, he falls in love with her and his thoughts towards her change; instead of planning evil, he guards her and protects her. His old mistress becomes so incensed at his giving her up for, what she thought, the other woman, that she goes to the police and gives the hero and his confederates away for robberies they had committed. The police rush to the district. The crooks and murderers, in order to save themselves from being shot and killed by the police, who had surrounded them, take the babies the heroine had been caring for while their mothers were working and use them as shields. The hero, who had already been arrested, begs the police to free him so that he might go into the room and save the babies from being shot. They free him, he goes in, saves the babies, but he himself is shot by one of his confederates. He expires in the arms of the heroine.

The situation where the hero is shown entering the heroine's room at night with evil intentions is not very edifying. The whole story is sordid, and leaves an unpleasant taste. Benjamin Glazer and Josef von Sternberg wrote the story. Mauritz Stiller directed it. Fay Wray is a beautiful heroine. Mr. Jannings does excellent work.

Perhaps it is too expensive for you to pass over, but it will pay you to say as little about it as possible.

ABOUT BICYCLING

It seems as if my article attacking the Hays COPYRIGHT PROTECTION BUREAU, which was printed in the issue of May 26, has been misunderstood.

By that article I did not mean to imply that a distributor has no right to bring before the board of arbitration a bicycling case; for he has, provided he brings it as a breach of contract. What I said was that such distributor has no right to bring it on the ground that the exhibitor had committed a crime by violating the copyright law.

Just to make this matter clear, let me say this to those of exhibitors who are acting, or may act, as arbitrators: If the exchange brings the exhibitor before the board on the ground that he breached the contract by playing a picture in a theatre other than the one the contract calls for, it is perfectly legitimate for them to try such a case in accordance with Clause 20 of the old Standard Exhibition Contract, or 18 of the revised contract; but if the exchange brings such exhibitor before the board on the grounds that he has committed a crime by violating the copyright law, let them keep out of it.

Brooklyn, N. Y., May 18th, 1928.

Mr. Peter Harrison,
1440 Broadway,
New York City, N. Y.

My dear Pete:

Again we are indebted to you, for your very generous cooperation in helping us fight the Fox Film Corporation in the matter of substitutions.

I am glad to be able to report to you, that the Joint Arbitration Board threw their case out yesterday, on the picture, "Square Crooks." They could not disprove that "Square Crooks" is a substitution of "Widow in Law."

This producer seems to be the most consistent offender in respect to substitutions. Earlier in the year they tried to substitute "Colleen" for "Mother Machree" and then a little later, they insisted upon us taking "Madame Wants No Children," a poorly made French picture as a substitution for another picture shown on the contract.

Since then, they have offered us five (5) other substitutions and there isn't a business in the world, in which you agree to pay real money, where the other party of the contract, makes an attempt to deliver at will, substitutions. Can you visualize, Hart Schaffner & Marx, delivering shoddy suits instead of all-wool, just because they could not produce the all-wool, according to contract, or Cluett Peabody & Company, delivering pink shirts instead of blue, according to the order?

There is only one way of stopping this abuse, and that is to have exhibitors positively refuse to accept a substitution, then the producer will stop this abuse.

Cordially and sincere yours,
William Brandt.

theatre Sunday afternoon, the opening day of the fifth week of the engagement, between the hours 2:30 and 4:00 o'clock, and has reported to me that there were about fifty persons downstairs; she did not observe how many there were in the balcony. When she came out of the theatre at 4 o'clock, two other persons came out with her. I have no figures of the business for this picture in other cities. As I said in the review, which I printed in the issue of October 1, 1927, on page 158, "Sunrise" is one of the most artistic pictures that have ever been produced. But it is too gruesome for the average picture-goer. Its theme is unpleasant; it deals with a hero, who, for the sake of a prostitute, with whom he was infatuated, decides to murder his wife; but he changes his mind. It is a wonderful study of the inner workings of the human mind. But it is a picture chiefly for the intellectuals; the masses will not, in my opinion, care for it. So 35 points should be a fair classification for this picture for the small towns. The big town exhibitors have naturally seen it and have decided what it is worth to them; it may not hurt them to pay at a higher classification. But they are the judges.

Note: As I was writing this, I received a letter from Jimmy Grainger, General Sales Manager of Fox Film Corporation, who wrote it from Chicago, challenging my statements made in last week's article, entitled "FOX OVER-STATEMENT." He gives me \$7,854 as the average receipts of "Sunrise" in its 28th week engagement at the Times Square. He gives me also figures for Philadelphia, Newark, Detroit, and other cities, as well as names of exhibitors, to whom I might apply for correct information. The next figures that I shall accept from Jimmy Grainger or from any one else either connected or not connected with the Fox organization will be those of my accountant, Mr. H. M. Horton, former professor of Mathematics in the DeWitt Clinton High School, this city, provided they allow him to examine their books, without any restrictions. No other figures will do. In the meantime, I stand by my figures, which I have obtained from reliable sources.

"MOTHER MACHREE," Fox: This picture was opened on March 5 at the Globe, this city, and after five weeks (April 9) it was transferred to the Times Square and stayed there until May 27, when "Dawn" started its engagement. In the five weeks at the Globe, it grossed less than \$5,000 a week. At the Times Square, week ending May 27, it took in \$3,200. The previous week it took in \$3,100. On the entire engagement at this theatre it averaged \$3,200. These figures are accurate; they have not been taken from any other paper. As I said in the review, "Mother Machree" is the best mother-love story that has ever been filmed. But it is not a two-dollar picture, as the receipts prove. At regular prices of admission it ought to draw well and satisfy them, particularly in neighborhoods where the Irish element predominates. It will require much exploiting to draw people in, but it is sure to please them. I am sure that 45 points for this picture is a fair classification. In other words, if you should happen to pay \$100 for "The Street Angel," \$45 should, in my opinion, be more than a good price for "Mother Machree." This may, however, be noted, that it is a very good small-town picture, and not a good big town, in contrast to "Sunrise," which is, in my opinion, a better big town picture than a small town.

"ABIE'S IRISH ROSE," Paramount: In my ten-year career as a reviewer, I have not known another so-called two-dollar picture to make as complete a failure at the box office in this city as has "Abie's Irish Rose," which Mr. Jesse L. Lasky, one of the older producers in the business, dared call "the greatest picture Paramount has ever produced." It was pitiful to see the slim crowds that have been going to the 44th Street Theatre, where it is playing. If you had shot a cannon ball at them, it is doubtful if you would hit any one. In the first three weeks of the engagement, it grossed \$4,545.75. Last Sunday, June 3, only \$40 was taken in at the matinee. The producers plan to take it off in two weeks and try to fit it with synchronized music. In other words, they will have the characters talk whenever this will, in their opinion, strengthen the picture, and fit the remainder with photomusic. The business capacity of this house is \$21,000. It has grossed this amount in the old days with Griffith pictures, in the heyday of Griffith's popularity. The cost of running this house is tremendous: \$4,500 for rent; \$3,500 for newspaper advertising; anywhere from \$1,500 to \$2,000 for orchestra, and at least \$2,000 for house attaches, cleaners, ushers, electricity, stagehands, not to mention billboard advertising. The total expense could not be less than \$11,000. At this rate the picture has cost the producers for this engagement a fortune. It is my belief that if this money were spent in a national

advertising campaign, particularly in the Saturday Evening Post and Liberty, the results would have been many times more beneficial to you than the New York showing. The trouble with this picture is the fact that there have been at least five "Abie's Irish Rose" made in some form or other. As a result, the "edge" has been taken off on this type of pictures. The picture is not bad. On the contrary, it is very good. The fitting it with "voice" and photomusic may help it considerably. But this has to be proved first. I believe that a 35 point classification for this picture as things now stand is fair.

"UNCLE TOM'S CABIN," Universal: This picture opened November 4, 1927, at the Central Theatre. The first and second days the receipts amounted to \$1,850.25. The first day most of the house was occupied by the trade and other invited guests. The receipts for the first eight weeks were as follows:

1st week	\$11,147.75
2nd week	10,147.75
3rd week	12,722.50
4th week	11,378.50
5th week	10,419.75
6th week	9,611.50
7th week	8,059.00
8th week	15,188.50

The average for the first eight weeks was \$11,188.47. It is one of the most deeply appealing pictures that have ever been produced. Under a different title than "Uncle Tom's Cabin," it ought to have made a record, for the reason that every one of those who have seen it has been raving about it. Yet in my opinion it is not as good a big-town picture as "Street Angel," for the reason that "Uncle Tom's Cabin" has played for years in all kinds of places in stock, and has been produced on the screen two or three times, although no other version can approach this version. But it should prove an excellent picture for small towns. You are sure to please one hundred per cent. of those that you will attract.

"THE MAN WHO LAUGHS," Universal: This picture opened at the Central, this city, on April 27. These are the receipts for the five weeks that it has so far played:

1st week	\$14,137.00
2nd week	14,003.00
3rd week	13,654.00
4th week	13,102.00
5th week	12,264.00

The average for these five weeks is \$13,432.00. As I said in the review, it is a wonderfully produced picture. Mr. Veidt does better work in it than Lon Chaney has ever "dreamed" of doing. He is a real artist. I also said that, although it is a wonderfully made picture, it is gruesome. But after all it is the public that passes judgment on a picture. And the receipts in the first five weeks show that the public goes to see it. It is manifest that Victor Hugo's name is an attraction. "The Man Who Laughs," however, in my opinion is a better picture for the big cities than it is for the small towns. "Street Angel" is good also for the small towns; it should have a better appeal for the masses. For this reason I believe that, although "The Man Who Laughs" is outdrawing "The Street Angel," still 90 points is a fair classification. In other words, if you should pay \$100 for "The Street Angel," \$90 should, in my opinion, be a fair price for "The Man Who Laughs," except in the big cities, where a bigger price than "Street Angel" might be paid. After all, my greatest care is for the small exhibitor; for the big exhibitor can protect himself by seeing the picture for himself and deciding what is a fair price for him to pay, whereas the small-town exhibitor hasn't that advantage, and must necessarily depend on outside information.

(This article will be concluded next week.)

ABOUT TALKING PICTURES

Last week I announced that another article will be printed this week on talking pictures. I wish to announce, however, that this article will be delayed considerably. There is no need for you to hurry to buy an instrument. Wait. Give me a chance to study the various instruments offered for sale, to learn the advantages and disadvantages of each, the price, cost of operation, the cost of the subjects, and everything needed to present to you with facts that will enable you to determine what to do. The study of these instruments requires technical knowledge, and my early technical training should prove of value to you. But you needn't worry for the next six months. Wait!

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions	12.00
Canada and Mexico..	12.00
England and New Zealand	14.50
Other Foreign Countries	16.50
25c. a Copy	

1440 BROADWAY

New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by

P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, JUNE 16, 1928

No. 24

A Reanalysis of the 1927-28 Substitutions

Because of urgent appeals made by exhibitor-subscribers for a more complete analysis of the 1927-28 substitutions, I am compelled to postpone until next week the printing of the last part of last week's article, which dealt with the 1928-29 two-dollar "hits" and "flops," so as to make room for the substitutions.

Before starting the substitutions, however, let me make certain remarks about the arguments the exchanges have been making in an effort to make you believe either that what this paper declares substitutions are not substitutions or that a certain provision printed in the prospectuses put out last year, just before they started selling the pictures, protects them.

In reference to the former, let me say that every fact that I submit to you in proof that a picture they are offering you is a substitute has been taken from the literature put out by the producers themselves; in reference to the latter, let me say that the wording of that provision does not give them the right either to change the story or to substitute a lesser star for a well known star. That provision, in fact, does not refer to the leading players but only to the supporting players.

Let me reprint it for the benefit of such exchangemen as have forgotten it; and let me interpret it, for the benefit of such exchangemen as either do not understand what it means, or have been given a wrong interpretation of it by their Home Office and told to act in accordance with such interpretation:

"Due to causes or conditions which we deem sufficient, we reserve the right, without notice, to change the cast, or the director, or the title of any photoplays described in this announcement."

The wording in the literature of the different producers varied a little, but the meaning in all cases was the same. Metro-Goldwyn-Mayer, for instance, printed it as follows:

"Titles, cast and directors subject to change without notice." Universal had it as follows:

"Due to the complexities of the picture production, changes dictated by best production policy, and by causes and conditions which we deem sufficient, Universal reserves the right, without notice, to change cast, director or the title of any of the photoplays described in this announcement."

The general clause was framed at the Hays office, and was inserted in their literature by the different distributors slightly altered, manifestly in an inspired effort to lead you to believe that there was no concerted action on their part as members of the Hays organization.

Notice that the producers reserved the right to change "cast, director or titles," but it does not say that they can change the leading players. If they had reserved such a right, they would then be able to sell you a Clara Bow picture and deliver one with Miss "Puffy" in the leading role; or a Charles Farrell and deliver a "Dicky Dicks." The fact that they cannot "pull" such a stunt is the best evidence that they cannot deliver a picture with a different star from the one described in the literature at the time you bought it.

Notice also that nowhere does that reservation give them the right to change the story; they have the right to change the title, well enough, but the story? Never! So when an exchangeman tells you in writing that they have the right to change the story, or the leading player, send his letter to this office for me to print so that the world may know how that particular company does business.

Don't accept substitutes! You don't have to! If the exchange has been decent to you, you may accept them. But you are not obligated to do so. If when you, relying

on the facts given in these pages, refuse to accept the pictures and the exchange drags you before the arbitration board, request either the secretary of the exhibitor organization or of the Film Board to subpoena the distributor's records to be used as evidence at the trial. Remember that a board of arbitration has the right by law to subpoena records; and he who fails to present the records demanded is in contempt of court. Demand, then, that the distributor's records be subpoenaed. In the event that they are not brought to the trial, enter a protest and demand the postponement of the case until they bring them or until you bring your own. You may then write to this office for photostatic copies of such records (they will cost you 50 cents for each copy, which is the actual cost; the work for securing these copies and the postage required for the mailing are furnished free by this office.) The records that you should have subpoenaed should be: The Annual Announcement Book, or Campaign Book, as some distributors call them; a full set of Work Sheets bearing on the top left hand side corner the day they were printed; and a press-sheet for each of the pictures which have been declared substitutes by this paper and which you desire to be relieved of.

Columbia Substitutions

"THE BLOOD SHIP" (August 10): Not a substitution.

"ALIAS THE LONE WOLF" (August 22): Not a substitution.

"SALLY IN OUR ALLEY" (September 3): No facts given in the book to enable one to determine whether it is or it is not a substitution.

"BY WHOSE HAND" (September 15): The Campaign Book says that this was to have been founded on a story by Channing Pollock; the finished product is by a different author (not given in the press-sheet). It is a story substitution.

"THE COLLEGE HERO" (October 3): The Book says that this was to be a Willard Mack story; the finished product has been founded on a story by Henry Simonds. A clear story substitution.

"THE TIGRESS" (October 21): The Columbia Book states that this was to be a story by Alfred Henry Lewis, and that Priscilla Dean was to appear in it; the finished product has been founded on a story by Harold Schumate, and Dorothy Revier and Jack Holt appear in it. A clear story and star substitution.

"STAGE KISSES" (November 2): The Book says that this is a George Bronson Howard story; the finished product has been founded on a story by Dorothy Howell. A clear story substitution.

"THE OPENING NIGHT" (November 14): The Book says that this was to be a story by Owen Davis; the finished product is by Albert Payson Terhune. A clear story substitution.

"THE WARNING" (November 26): The Book says that this was to be a story by Edgar Rice Burroughs; the finished product is by Lillian Ducey and H. Milner Litchin. The Book says that the story is a "thrilling romance"; the finished product is a British Secret Service melodrama unfolding in China. A clear story substitution.

"FASHION MADNESS" (December 8): No facts are given to help one determine whether it is or it is not a substitution.

"THE SIREN" (December 20): The Book does not give the author, but it gives Priscilla Dean as the star; the finished product has Dorothy Revier as the star. A

(Continued on last page)

"Chicken a La King"—with a special cast*(Fox, June 17; 6,417 ft.; 75 to 91 min.)*

Not bad! It is a light comedy of the gold-digger type (sexy), in which Ford Sterling, a married man of miserly nature, gets embroiled with two gold-diggers, who "fleece" him out of considerable money. There are mild laughs all the way through. These are caused, at times by the situations, at times by the subtitles, and at times by Mr. Ford Sterling's acting, but mostly by Mr. Sterling's acting. Arthur Stone, as Mr. Sterling's wife's brother, who establishes himself in his brother-in-law's home and lives on the fat of the land, causes considerable comedy. Most of the comedy occurs in the scenes where Ford Sterling is in the apartment of the gold-diggers and his wife appears; she had entered into a friendly conspiracy with the gold-diggers so that they might exact money from the hero to buy her, the poor wife, the things he had denied her right along. The efforts of the hero to make himself appear as a model husband are comical.

The plot has been founded on the stage play "Mr. Romeo," by Harry Wagstaff Gribble. It has been directed by Henry Lehrman very well. Nancy Carroll, George Meeker, Carol Holloway, Frances Lee and others appear in the cast.

NOTE: This is being delivered for "Atlantic City." No author was given in the Work Sheet; but inasmuch as the Work Sheet stated that "Atlantic City" was to be "a romantic story of broken hearts of world's playground" and "Chicken a La King" is a farce-comedy with a bedroom-farce twist in it, it surely is a story substitution.

"Fools for Luck"—with W. C. Fields and Chester Conklin*(Paramount, May 5; 5,852 ft.; 68 to 83 min.)*

While nobody will hurt his sides laughing at this comedy, yet it is not a bad entertainment. There are several mildly amusing situations and not a little pathos. Mr. Fields (villain) is a slick fake stock promoter, who wins the good graces of everyone by his suave manners. His specialty is abandoned oil wells. Mr. Conklin is the henpecked restaurant proprietor, a champion pool player, and also the richest man in town (a small country place). The scenes in the restaurant and poolroom, where the villain induces Mr. Conklin to teach him to play the game and to get his dinner check against the game, which he wins by trickery, will amuse devotees of pool. Other amusing situations are those in Mr. Conklin's bedroom; those showing the villain urged by Mr. Conklin's wife to remain overnight as guest so that he might meet her husband; the scenes of the conversation between him and his supposed wife, the discovery and subsequent fight. Amusing are also the scenes in the ballroom where Mr. Conklin goes in a suit many times too large for him. The suit had been hastily basted and, when it comes apart, it causes much embarrassment to his wife, a social climber and a scold. There is much pathos when Mr. Conklin is informed by another fake promoter that the oil well was an abandoned one. He pays his informant \$1,000 to persuade the villain to pay back the money to his victims (all the townspeople) by having him told that the oil well had gushed and so made his stock so much more valuable. Not a little comedy is caused by Arthur Hausman, an associate of the villain, who becomes drunk at the ball and tries to tell who the villain really is.

The picture was directed by Charles F. Reisner from a story by Harry Fried, which was adapted by Sam Mintz and J. Walter Ruben. Mary Alden, as the nagging wife, who had "fallen" for the promoter, is good. Sally Blaine makes a charming heroine and Jack Luden a good hero.

"A Certain Young Man"—with Ramon Novarro*(Metro-Goldwyn-Mayer, May 19; 5,482 ft.; 63 to 78 m.)*

This picture has grown whiskers. It is so old that I have lost track of the time when it was produced. But it must be at least two and one-half years. You can judge for yourself from the fact that Willard Louis is in the cast. The rumor has it that it was so poor that Metro-Goldwyn-Mayer executives were ashamed to re-

lease it. But the picture is not so bad, after all; only that the make-up of Ramon Novarro is "terrible," and he is miscast. Novarro is no Sheik, and he is trying to be one in this picture. The theme is about a British nobleman, a Lord, who was a "terror" with the women. He had so many on the string that he could hardly keep track of them. Their presence would often bore him. Among these women one was married, and her husband would chase after her. He would enter the Lord's home and create a scene because he had information to the effect that his other half was within; but the Lord was always able to convince him that she was not there, although she was. Another married woman happened to turn out to be the very wife of his butler. This Lord-hero meets the heroine and falls in love with her earnestly. One of his married women friends, however, would not leave him alone; she appeared in his apartment at a seashore resort just at a time when he did not want her to appear. The heroine sees her and her castles crumble. But he is eventually able to convince the heroine that he has become a changed man. They become reconciled.

The plot has been founded on the story "Bellamy the Magnificent," by Roy Horniman. After completing this picture, Metro-Goldwyn-Mayer were made an offer by Paramount for the sale of the book. They accepted the offer, and Paramount made "A Gentleman of Paris," with Adolphe Menjou, with it. The picture is suitable only for the cosmopolitan centres. You might bring down on you the wrath of your townfolk if you are in a small town. It is too sexy. The direction is excellent; Hobart Henley directed it. With a more suitable "Sheik," Mr. Henley would certainly have made a fine picture. The production end is high class.

In England and the British Dominions this picture may be taken as a slur against the British aristocracy.

"Lonesome"—with Glenn Tryon and Barbara Kent*(Universal-Jewel, rel. in Oct.; 6,193 ft.; 72 to 88 min.)*

This is an unusual picture. The plot is very simple, but the mood of the story is so vivid that a deep impression is left on one's mind, an impression that lasts long after one has seen the picture. It is the story of a young boy who felt lonesome because he had no friends and no sweetheart; and of a girl who likewise felt lonesome because she had no friends to invite her out and no sweetheart. During a holiday each goes to Coney Island to "take in the sights" and to go in swimming. Accidentally the boy sees the girl and natural attraction induces him to approach her in order to make her acquaintance. At first the girl is shy, but as she, too, had been lonesome, she accepts his offer to go in the surf. Before the day is over each falls deeply in love with the other. By a coincidence, they become separated. Each was almost out of his mind trying to find the other, particularly the boy. They would wedge into the milling crowds, each looking around for the other, until despondently they gave up the effort as futile. Each returns home. The boy, broken-hearted, puts on his phonograph the record that played "I'll Always Love You," to the tune of which they danced during the day at Coney Island. The girl, who lived in the next room, a fact which was unknown to the boy, becomes distracted by the music, which brought back the sad memories of the loss of the boy she had met and fallen desperately in love with, goes to the room where the sound came from, resolved to demand of the occupant to stop the "noise." Tears rolled down the cheeks of both when chance brought them together again.

It is hard to describe the effect the picture has on one's emotions, particularly in the closing scenes, where boy and girl meet again. By this time the spectator takes such an interest in the two, that he hopes and prays in his mind that they meet again. The scenes in Coney Island where the two became separated make one as sad as the scenes of the reunion make him joyful.

The plot has been founded on a story by Mann Page. It was directed with great skill by Paul Fejos, the director who produced "The Last Moment." It is manifest that Mr. Fejos belongs to a new school; he has brought a new style of direction into the business.

According to my information, "The Yellow Lily," with Billy Dove, is drawing well.

"Walking Back"—with Richard Walling and Sue Carol

(Pathe, May 21; 3,035 ft.; 58 to 72 min.)

It has often been a wonder to me why the Pathe organization is wasting so fine a director as Rupert Julian on program stuff, when he can handle big stuff as masterfully as any other director; in fact has handled such stuff in the past. "Walking Back" is "a section of a special," produced by Mr. Julian with program material. The opening scenes give thrills that have not been given for a long time. These thrills are caused by a "duel" with automobiles. Two young men, the hero and a rival for the girl he loves, fight it out by bumping each other with their machines. This is entirely new in pictures. And manifestly dangerous. There are other thrills. These occur toward the end, when the young hero, son of a banker, disregarding the pistol that was leveled at the back of his head by the bank robbers, who had just blown up the safe of his father's bank and taken a bag full of bank notes out of it, drives the machine right into police headquarters, bringing about their arrest.

The theme is that of young folk who jazz, and drink, and cut up, not realizing the consequences, until something happens in their lives that makes them learn and turns them into good men and women.

Richard Walling is sympathetic as the banker's young son. Sue Carol is good as the young jazzy woman. She has a future. Robert Edeson is good as the banker. The story is by George Kibbe Turner.

IN THE INTEREST OF FAIR PLAY

Jimmy Grainger, General Sales Manager of Fox Film Corporation, took exception to the statement that I made in last week's HARRISON'S REPORTS to the effect that the figures he gave on "Sunrise" were "padded." He thought that I have cast a reflection on his veracity.

In making that assertion, I meant no personal reflection on Jimmy; and lest there is some one else that may think that I meant it the way Jimmy Grainger has interpreted it, I take this means of setting him straight.

This is what prompted me to make that assertion:

It has been the custom in this industry for the producers and distributors to exaggerate the drawing powers of pictures. So when I received reliable information that the actual receipts of "Sunrise" were lower by about \$3,000 than the figures Jimmy gave me, I took it for granted that Jimmy simply followed the custom in this industry, of exaggerating. But I did not mean to question his personal veracity.

Why shouldn't I have taken it that way? Didn't the Fox organization make an exaggeration when it stated in its trade paper insert that "Mother Knows Best" and "The Red Dance" are Broadway hits when they have not even been shown on Broadway?

Here is another case: Jimmy Grainger is telling you through his branch managers that "A Girl in Every Port" is the same picture as "Baloo," when we know that "Baloo" is "The Wizard," because the author of "The Wizard" is given as Gaston Leroux, whereas the author of "A Girl in Every Port" is given as J. McGuinness. Now, this is a misstatement; Jimmy himself must admit it. But, in telling you that this is a business untruth, I do not mean to cast any reflection on the veracity of Jimmy Grainger.

It is not necessary for me to call some one names in order to impress you with the accuracy of the information I give you on these pages. When, for example, I tell you that "The Chaser" is not "The Butter and Egg Man," it is not necessary for me to curse some one in First National in order to make you take my statement seriously. The facts in themselves are so impressive that no other aid is needed. Nor is it necessary for me to make personal remarks about Jimmy Grainger in order to impress you with the fact that "Love Hungry" is not "The Comedian"; for the facts speak for themselves.

Jimmy Grainger is working for the Fox Film Corporation, and must necessarily do all he can to show results at the Fox box office. On the other hand, you are paying me to render you a certain service, and I must do all I can to render it to you, no matter whose feelings I may hurt in so doing. I like Jimmy Grainger personally. In fact I admire him. I admire any one that has the stuff in him to make the success that he has made. But my personal liking for him is not going to make me refrain from giving you information that may save you all hundreds of thousands of dollars. The difference of opinion between Jimmy Grainger and me about the box-office receipts of "Sunrise" is something like \$3,000 weekly:

He says that the average in the 28 weeks has been \$7,854; my information is to the effect that it is between \$4,500 and \$5,000. There is just one way to settle the matter: Let Jimmy Grainger show me the daily box-office statements, signed by the treasurer of the Times Square Theatre and countersigned by the Fox representative, as well as the bank book showing the daily deposits. Then if I find that Jimmy is right and I wrong, he may rest assured that I shall print the figures conspicuously.

(Concluded from back page)

"LOVE HUNGRY" (April 8): The original title of this one is supposed to be "The Comedian." But "The Comedian" was to be a picture that would be founded on the stage play by Sacha Guitry, to be directed by Victor Schertzinger, and to have Janet Gaynor in the leading part; whereas "Love Hungry," which is a mediocre picture of the program grade, has been founded on a story by Randall H. Faye, was directed by Victor Heerman, and has Lois Moran in the leading part. It is a clear story, star, and director substitution.

"THE PLAY GIRL" (April 22): This picture's original title is supposed to be "Honeymoon Dreams." "Honeymoon Dreams" was to be directed by Raoul Walsh; "The Play Girl" has been directed by Arthur Rosson. While you lose in the director values you gain in the star values, because in the original no star was promised, whereas in the finished product Madge Bellamy has been delivered. It is up to you, however, to determine whether you want to cancel it or not by taking it to the board of arbitration.

"THE ESCAPE" (April 29): According to the Fox Work Sheet of June 3, 1927, "The Escape" was to have in the leading parts the formidable cast consisting of Janet Gaynor, Victor McLaglen, and Charles Farrell, and was to be directed by Raoul Walsh. It was sold to you as a "Superspecial," being included in the list of ten superspecials. The finished product is an underworld melodrama of the program grade, has William Russell and Virginia Valli in the leading parts, and was directed by Richard Rosson. It takes a lot of nerve on the part of a producer to charge big money for a superspecial with big names and to deliver a picture of program grade with no names. You are not obligated to accept it.

"HONOR BOUND" (May 6): This is supposed to be the new title of "The Soul of Passion." But "The Soul of Passion" was described in the Fox Annual Announcement as a picture to be founded on Prosper Merimee's "Carmen," to have Dolores Del Rio and Victor McLaglen in the leading parts, and to be directed by Raoul Walsh; whereas "Honor Bound" has been founded on a story by Jack Bethea, has been directed by Alfred Green, and has George O'Brien in the leading part. A star, story and director substitution. "The Soul of Passion," too, belongs to the ten superspecial group, for which big money was paid. In its place the Fox organization is delivering a picture of lower grade. You are not obligated to accept it. ("The Loves of Carmen" is really "The Soul of Passion.")

"HANGMAN'S HOUSE" (May 13): Charles Farrell was promised with the others but not delivered. Star substitution.

"A THIEF IN THE DARK" (May 20): This is supposed to be the new title of "The Unknown Beauty." But "The Unknown Beauty" indicates that the picture was to be a society drama. It is inconceivable, therefore, how any producer-distributor could deliver in its place a crook melodrama. Besides, the June 3, 1927, Work Sheet promised Olive Borden and does not deliver her in the finished product. To any fair-minded arbitration board it should be clear that it is a story substitution, and certainly is a star substitution.

"THE NEWS PARADE" (May 27): This is supposed to be the new title of "French Ankles." It certainly takes a great deal of courage for any one to deliver a story of the troubles and tribulations of a Fox News cameraman, as "The News Parade" is, for a leg picture with Madge Bellamy in the leading part. It is a story and star substitution and you are not obligated to accept it.

"DON'T MARRY" (June 3): This is supposed to be the new title of "The a La Carte Girl," but no facts were given in the Work Sheet to help one determine whether it is a substitution or not. "The a La Carte Girl" was, in my opinion, only a safety-valve title, to be used on some junk.

The other pictures will be analyzed as they are reviewed.

clear star substitution, and you don't have to accept it.

"THAT CERTAIN THING" (January 1): No facts are given to tell if it is a substitution.

"THE WIFE'S RELATIONS" (January 13): No facts are given.

"LADY RAFFLES" (January 25): The Book says that this was to be a story by Alfred Henry Lewis, and was to have Priscilla Dean as the star; the finished product has been founded on a story by Jack Jungmeyer and Fred Stanley, and has Estelle Taylor in the leading part. A clear star and story substitution.

"SO THIS IS LOVE" (February 6): The Book says that this was to be the story of a gold-digger by Gertrude Atherton; the finished product is a pugilistic picture by Norman Springer. A clear story substitution.

"A WOMAN'S WAY" (February 18): This was to be a story by Thompson Buchanan; the finished product is by Izola Forrester. A clear story substitution.

"THE SPORTING AGE" (March 2): An insert in the trade papers gave this as a story by Charles K. Tennant; the finished product is by Armand Kalitz. It is a clear story substitution.

"THE MATINEE IDOL" (March 14): The original title of this one is supposed to have been "Come Back to Aaron." No facts are given in the Book.

"THE DESERT BRIDE" (March 26): This is the new title of the picture sold as "The Adventuress." The Book says that "The Adventuress" is a Frances Marion story; the finished product "The Desert Bride" has been founded on a story by Ewart Adamson. It is a clear story substitution.

"BROADWAY DADDIES" (April 7): The Book says that this was to be a story by Grace Atkinson; the finished product is by Victoria Moore. A clear story substitution.

"AFTER THE STORM" (April 19): No facts are given.

"GOLF WIDOWS" (May 1): Trade paper inserts stated that this was to be a story by Henry Clayton Cooper; the finished product is by W. Scott Darling. A clear story substitution.

"MODERN MOTHERS" (May 13): The Book says that this was to be the story "Perils of Divorce," by Rachel Crothers; the finished product has been founded on a story by Peter Milne. A clear story substitution.

"NAME THE WOMAN" (May 25): This was sold as "Bridge." No facts are given in the book to help one determine whether it is a substitution or not.

The remaining Columbia pictures will be analyzed when they are released.

Fox Substitutions

"PAID TO LOVE" (August 14): This is not a substitution as far as the 1927-28 program is concerned, but it is the picture that was sold as "Gaby" or "A Royal Romance" in the 1926-27 program. At that time Fox attempted to deliver "Stage Madness" in its place, asserting that it was the same picture as "Gaby" or "A Royal Romance," which was contrary to facts. Those who bought this picture as "Gaby" or "A Royal Romance" and lost it to their competitors are entitled to redress.

"CHAIN LIGHTNING" (August 14): No facts.

"SINGED" (August 21): Not a substitution.

"TWO GIRLS WANTED" (September 11): Not a substitution.

"THE JOY GIRL" (September 18): Not a substitution.

"THE GAY RETREAT" (September 25): Its original title "A. W. O. L."; not a substitution.

"PUBLICITY MADNESS" (October 2): Not a substitution.

"EAST SIDE, WEST SIDE" (October 9): Not a substitution.

"HIGH SCHOOL HERO" (October 16): Sally Phipps and Richard Walling were promised, but the picture has been delivered with Nick Stuart. The changes in cast, however, are not important enough to warrant any exhibitor to refuse to accept it.

"PAJAMAS" (October 23): Olive Borden and George O'Brien were promised; Olive Borden and Lawrence Gray have been delivered. Cause for complaint with those of you with whom George O'Brien is a drawing card.

"VERY CONFIDENTIAL" (November 6): No facts are given.

"LADIES MUST DRESS" (November 20): The Fox "Salesman's Work Sheet," "New Form S-45M-50

to a pad 6-3-27-A," promised this picture with James Tingle and Mary Duncan; the picture is being delivered with Virginia Valli and Lawrence Gray. I don't think the star substitutions are of importance to entitle you to a "kick."

"WOLF FANGS" (November 27): No facts given to help one determine if a substitution; only that it was to be a dog story.

"THE WIZARD" (December 11): Not a substitution. The original title was "Balao."

"SILK LEGS" (December 18): The Fox Annual Announcement promised it with Albert Ray as the director; Arthur Rosson has directed it. Director substitution. There is not, in my opinion, enough justification for you to "kick."

"COME TO MY HOUSE" (December 25): Not a substitution.

"GATEWAY OF THE MOON" (January 1): This is being delivered in place of "Luna Park." According to the Fox Work Sheet of June 3, 1927, this was to be "A vivid, colorful story of carnival life with Victor McLaglen, Greta Nissen, Charles Farrell," and was to have Mr. McLaglen in a role "which runs second only to that remarkable characterization of Captain Flagg in 'What Price Glory.'" It certainly took great nerve on the part of Fox Film Corporation, after such promises, to attempt to deliver a "rotten" picture of jungle life, even though it has Dolores Del Rio in the leading part. A clear story and star substitution.

"WOMAN WISE" (January 8): No facts to help one.

"SHARPSHOOTERS" (January 15): This is supposed to be merely a title change, from the original title "The Girl Downstairs." But according to the Work Sheets of May 9 and of June 3, 1927, the story of "The Girl Downstairs" was to be by May Edginton, whereas "Sharpshooters" has been founded on a story by Randall H. Faye. It is a clear story substitution.

"SOFT LIVING" (February 5): Not a substitution.

"A GIRL IN EVERY PORT" (February 26): This is supposed to be the new title of "Balao." "Balao," however, was to be, according to the Fox Annual Announcement in the trade papers and in the Fox Work Sheets, "An American Adaptation of Gaston Leroux's Tremendous Parisian Stage Success" (which is the picture "Wizard"), whereas the story of "A Girl in Every Port" has been written by J. B. McGuinness. A clear story substitution. How can two different pictures be "Balao"?

"SQUARE CROOKS" (March 4): The original title of this picture is supposed to be "Widow-in-Law." But according to the Fox Work Sheets, "Widow-in-Law" was to be a comedy, was to be directed by Albert Ray, and to have Edmund Law, Mary Duncan and Sally Phipps in the leading parts, whereas "Square Crooks" is a crook melodrama by James P. Judge, was directed by Lew Seiler, and has Robert Armstrong, J. M. Brown, and Dorothy Appleby in the leading parts. It is a clear story, star and director substitution. The board of arbitration of the New York City zone, in the case of Fox vs. Brandt's Theatre Enterprises, of Brooklyn, N. Y., decided a few weeks ago, as Mr. William Brandt has informed this paper (his letter was printed in HARRISON'S REPORTS last week) that "Square Crooks" is a substitution and that the defendant was not obligated to accept it.

"DRESSED TO KILL" (March 18): The original title of this is supposed to be "Silk Hats." "Silk Hats," however, was to have been directed by Raoul Walsh, and to have Victor McLaglen, Madge Bellamy and Edmund Lowe in the leading parts, whereas "Dressed to Kill" has been directed by Irving Cummings, and has Mary Astor and Edmund Lowe in the leading parts. A star and director substitution.

"WHY SAILORS GO WRONG" (March 25): The Fox Work Sheets do not give any facts to help one determine who was to write the story. "The Film Weekly," of Sydney, Australia, however, gives J. McGuinness as the author. The finished product has been founded on a story by William Conselman. Manifestly it is a story substitution. But I don't think an American arbitration board will accept evidence imported from Australia, even though we know that such information in the "Film Weekly" was furnished by the Fox organization and therefore it is correct. I don't think it is worth-while "kicking" on this one.

(Concluded on inside page)

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....\$10.00
U. S. Insular Possessions 12.00
Canada and Mexico... 12.00
England and New Zealand 14.50
Other Foreign Countries 16.50
25c. a Copy

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, JUNE 23, 1928

No. 25

An Analysis of the 1927-28 Substitutions---No. 2

(Continued from last week)

Last week I informed you that I would print the second part of the article "Two-Dollar 'Hits' and 'Flops'" this week. But in order to clean up the substitution analysis of every company's product, I am again compelled to postpone that article until I finish the substitutions.

Since the appearance of last week's article, which dealt with substitutions, I have received some letters from exhibitors asking me to define their rights in the matter of substitutions. Some of them asked me if, when I say that "It is a clear story substitution," they can refuse to accept such picture without violating their contract.

My answer is this: The foundation of a picture is the story or the author, whichever is given with the title at the time of the sale of that particular picture; or the theme, if sufficient facts are given to determine the nature of it. When that story, or the author, is changed, the foundation is removed. In other words, the picture is no longer what you bought. For this reason, you have a perfect right to refuse it without breaching your contract. (If the picture was part of a star or director series with no stories, then the star or the director sold is the foundation.)

The other question is this: When an exhibitor has given to the exchange play-dates thinking that it is the picture he bought and then he reads in Harrison's Reports that such a picture is a substitute, has such exhibitor the right to cancel the dates and refuse the picture?

My answer is that he has a perfect right to do so, for this reason: When he was notified by the exchange that play-dates for that picture were available, he, thinking that that picture was contained in his contract, gave the exchange play-dates in good faith. Later he discovered that the picture was not what he had contracted for, and decided that he did not want it. Remember that, where a substitution is concerned, there is no contract in existence. The exchange, therefore, cannot force an exhibitor to accept something he did not contract for.

Before starting on the remainder of the substitutions, let me define how you should proceed in the matter of substitutions:

When you read in these pages that a particular picture is a substitute, if the title is the same, you may undertake to prove that it is a substitute; but if the title has been changed, then it will be up to the exchange to prove that it is not a substitute. Accordingly, in case you are haled before the board of arbitration for failing to give the exchange play-dates, your procedure should be as follows:

(A) If the title of the substitute is the same as the title contained in the contract:

The exchange writes you demanding play-dates. You write back and say that it is a substitute, and therefore you don't want the picture. The exchange refers the matter to the Film Board of Trade. The Secretary of the Board sends you a notice that the exchange has entered a complaint against you for failing to accept a particular picture, demanding your answer. You answer that the picture is a substitute and therefore you do not want it. The Secretary writes back and asks you to appear before the board of arbitration on a certain date when your case will be heard. You write back and ask the secretary to demand of the distributor to present at the hearing: (1) A copy of his Annual Announcement, whether in the form of a trade paper insert or a Campaign Book published by his Home Office. (2) A complete set of the company's Work Sheets. (3) A press-sheet for that particular picture; and (4) anything you think it is necessary for you to establish your claim. In the meantime, write to this office and get a photostatic copy of the Work Sheet.

Suppose when you appear before the board, you find that the exchange has failed to present these documents, either

through the negligence of the film board secretary or through the unwillingness of the exchange to present such records, then you should protest, demanding, first, the postponement of the case; secondly, the subpoenaing of these records by the board of arbitration (the arbitration board has a right, by law, to subpoena such records. When the exchange manager refuses to present them, he is in contempt of court. The arbitration board can, in such an event, make an application to the Supreme Court to certify his guilt and to prescribe the punishment.)

When the title of the substitute picture is the same as that contained in the contract, I said "you may" undertake to prove that it is a substitute; but you are not obligated to do so. Remember that, as an elementary point of law, the burden of proof rests always with the plaintiff. In civil cases, the courts always so charge as a matter of routine. But I chose to suggest to you to attempt, in such cases, to prove that it is a substitute only because I feel that in this manner you afford to your interests a greater measure of protection. If you so choose, you and your counsel may fold your hands and let the exchangemen prove that the picture is not a substitute. All you and your counsel have to do is to ask questions.

In case the arbitration board refuses to act, then it should be clear to you that such board is "packed," and it will be suicide for you to remain until the case is finally disposed of. Leave, and take the following steps: First, write to this office; I may be able to get the Home Office of the distributor to take action at this end, to prevent an injustice. Should the Home Office refuse to act, then it will be up to you to enter a complaint, either with the district attorney of your exchange city or with the attorney general of your state, on the ground that through false advertising they are trying to compel you to accept something you did not originally buy. It may even be necessary for you to take court action. According to CAHILL'S CONSOLIDATED LAWS OF NEW YORK, 1926, you are entitled to take such action on two grounds: first, because of evident partiality of the arbitrators; and, secondly, because the arbitrators, in refusing to subpoena the records to postpone the hearing until such records are presented, are guilty of misconduct.

(B) In case the title of the substitute picture has been changed, then the burden of proof rests upon the exchange. In other words, it is up to the exchange to prove to the arbitrators that the picture it is delivering is the picture you bought. And it cannot do that, because of the proof I have printed in these columns for your benefit.

In case the board of arbitration should show partiality to the exchange and, despite your arguments and your proof that the picture is a substitute, renders a decision against you, you still have the right to go to the district attorney, or to the attorney general of your state, to enter a complaint on the ground of false advertising. You may also notify this office so that I may take whatever steps I can to protect your interests. The exchanges have their Home Offices. I want to be your Home Office, where you can tell your troubles and be sure to get a hearing. This paper is devoted to your interests heart and soul. Let me have your complaint. Be sure that you are right in your facts, for unless you are right you weaken me when you ask me to defend a wrong case. But when you are right, this paper will go all the way for you.

Metro-Goldwyn-Mayer Substitutions

TIM MCCOY SERIES: The pictures of this star, six in number (Nos. 844, 845, 846, 847, 848, and 849) were sold as a star series. They are being delivered, therefore, as they were sold.

(Continued on Last Page)

"Man, Woman and Wife"—with Norman Kerry, Marion Nixon, and Pauline Starke

(*Universal-Jewel*; Dec. 30; 6,495 ft.; 75 to 92 min.)

A strong melodrama. While the story is not new, it has been handled well. It deals with a wealthy hero, who, while fighting in France is so seized with fear that he deserts. He returns to the United States but not to his young wife. Inability to make his presence known makes him so despondent that he abandons himself to drink. He is thrown out of a saloon by a bouncer. The heroine, who was his mistress before his marriage, and whom he had repulsed after his marriage to a young woman, finds him and takes him to her apartment. The villain, a power in the underworld, had been keeping the heroine. Upon being informed that his "sweetheart" had taken a stranger into her apartment, he rushes there and tries to catch him in. The two run away and hide; they rent an apartment and live as husband and wife. Months later the villain discovers their hiding place. He calls on the heroine while the hero, having read in the papers that his real wife was about to marry another man, goes to the church to stop the wedding. But he did not have the courage to do it. Upon his return, he is confronted by the villain. The villain makes ready to shoot the hero. The hero kicks the pistol from his hand, takes it himself, and shoots and kills him. He is arrested, tried, convicted and sentenced to life imprisonment. The hero's friend arranges for his escape from prison. His escape becomes known and the sirens are blasted, sending every guard to his post. A machine gun is trained on the spot through which the hero was to make his getaway. The past flashes before the hero, and he realizes what a failure he had made of his life. He then deliberately puts himself in the path of the bullets and is shot and killed, his aim being to spare his real wife pain.

There are some inconsistencies here and there. For instance, it is impossible for one to believe that the hero would have been tried and convicted of a crime in the same city where his wife lived and his identity not to become known not only to his wife but to everybody. His photograph, which would naturally have been printed in the papers, would have given him away. But the action is so fast and gripping, that I am sure the average picture-go will overlook these defects.

The story has been written by Charles A. Logue. It has been directed by Edward Laemmle. Kenneth Harlan, Byron Douglas, Crauford Kent, Jack Raymond and others are in the cast.

"No Other Woman"—with Dolores Del Rio

(*Fox*, June 10; 5,071 ft.; 58 to 72 min.)

Quite "sexy"; it shows some of the women characters in tight, very tight. Consequently, it is hardly suitable for exhibitors that cater to children. From the point of view of adults, it is hardly much of an entertainment; for hardly any of the characters does anything that would arouse one's sympathy. On the contrary, most of what is shown is scheming by the villain to marry the wealthy heroine by double-crossing the hero, who is an old schoolmate of his, and who had trusted him. And the villain succeeds. The action takes place in Biarritz, near the Spanish border, and later shifts to other parts of Europe. The acting is mechanical, the characters appearing as not possessing the commonest degree of intelligence. The heroine would "swallow" anything that the villain would tell her, and hadn't sense enough to look into his motives. On the other hand, the hero is "blah! blah!" Miss Del Rio's part is anything but sympathetic; whatever sympathy she might get, she loses by marrying the villain. No one feels compassion for her when she discovers her mistake and when later she marries the hero, who had made the villain agree to a divorce. In one scene a woman is shown in the hero's room; she was a part of the villain's plot to discredit the hero. He persuades her to go away when a bellboy is sent for. This boy is no more than fourteen. And yet he is made to say to the hero: "You are safe with me, Monsieur! Us men got to stick together;" meaning, of course, that the boy would not give the hero away for having caught him with a woman in his room. Whoever is responsible for this title has certainly shown lack of taste to a deplorable degree. And you should take steps to have this title removed.

The plot has been founded on the story by Poland Banks. It has been directed by Lou Tellegen.

NOTE: I have been informed by some exhibitors that this picture is delivered for "My Wife's Honor," which in turn is supposed to be the title of "The Blond Panther." If so, these are the facts: No story or author was given in the Work Sheet, but Frank Borzage was given as the director, as well as the following descriptive matter: "The genius who turned out '7th Heaven' will make this one, a powerful melodrama of primitive love in a modern society." The picture is not a melodrama but a straight drama, and not Frank Borzage but Lou Tellegen has directed it. It is manifested that "The Blond Panther" was a "safety-valve" title, and consequently the picture, not being a melodrama, as advertised, is clearly a story substitution; and it is a director substitution. Whether, however, the exchange men arbitrators will show fair-mindedness enough so to declare it, I cannot say. If the picture is not suitable for your customers and you want it canceled, you should try to have it canceled by bringing it before the board of arbitration on the ground that it is "sexy."

"The Blond Panther" was sold to you as a Super-Special—one of the group of 10 Super-Specials.

"Happiness Ahead"—with Colleen Moore

(*First National*, June 24; 7,265 ft.; 84 to 103 min.)

Like Clara Bow's "Ladies of the Mob," "Happiness Ahead" is a crook melodrama. The difference, however, is the fact that in "Happiness Ahead" the action does not show electric chairs or encounters with the police, but it confines itself chiefly to showing that the hero had made up his mind to reform because of his great love for the innocent country girl he had married, for which resolve he had been given away to the police by a discarded mistress, because he would not give up his wife to go back to her; it shows also the suffering the heroine went through when she learned that her husband, instead of being to South America, where he had made her believe he had gone, was in jail. The picture shows further commendable action in the closing scenes where the heroine, who loved the hero desperately, refused to allow him to tell her that he was in jail preferring that he let her think that he was in South America, for the sake, not only of her love for him but also of their coming child.

It is a sentimental little piece, in which Miss Moore is given an opportunity to wring some tears from tender-hearted spectators. There is some comedy here and there, too. Edmund Lowe, too, does good work; he takes the part of a high-class crook. Lilyan Tashman, Edythe Chapman, Arthur Housman, and many others are in the cast. The plot has been founded on a story by Edmund Goulding; it has been directed by William A. Seiter well.

"The Lion and the Mouse"—with a star cast

(*Warner Bros.*; synchronized, 6,352 ft.; regular, 5,912 ft.)

Without the Vitaphone, "The Lion and the Mouse" is going to please every one that will see it; with the Vitaphone, it ought to create a sensation. It is the best synchronized picture that Warner Bros. have ever produced, for the reason that the characters, who are made to talk in important parts of the picture, are almost all experienced actors and know what to say and how to say it, to get the best effect. The part where Alec. B. Francis, supposedly a Supreme Court judge, is sent for by the powerful Wall Street magnate, Lionel Barrymore, is a piece of art. The part where the Wall Street magnate is confronted by the heroine, who had broken open his desk and had stolen the letter her father had written to him, the flinty-hearted magnate, and by which her father could prove his innocence on the charges of having accepted a bribe, which had been trumped up by the Wall Street man, should create a sensation; Miss McAvoy handles her part very well even though she has never acted on the stage, and has not had the experience the old actors Messrs. Francis and Barrymore have had. The encounter between father and son, where the son is shown denouncing his father for his determination to ruin the father of the girl he loved, too, should create a deep impression. Mr. William Collier, Jr., handles the part of the son with skill; his voice, too, registers well. There are other parts where the "voice" is used with good effect.

The plot has been taken from the well known stage play by Charles Klein. It has been put into pictures by Lloyd Bacon, from a scenario by Robert Lord.

"Hellship Bronson"—with Noah Beery, Mrs. Wallace Reid, and Reed Howes

(Gotham-Regional, May 1; 6,432 ft.; 74 to 91 min.)

The theme of this picture is not of the kind that can be related in polite society, even though the entire picture has been handled well. For instance, a father, because of the hate he felt for his wife, who he thought had disgraced him, urges his growing son to be a "terror" with the women and not to trust any of them. He is captain of his own ship and his son is his mate. One of the situations shows the young hero and his father, who had just returned to San Francisco after fifteen years of sailing, mainly in Chinese waters, in a saloon; the father urges his son to make friends of the women of the underworld. In the same saloon, the father is shown implying to his son that the woman he was in the room with was a common woman; he had taught the boy to hate his mother and did not want to tell him that it was his mother. Later, when the little heroine, whom the young hero had saved from the hands of the saloon keeper, a white slaver, meets the hero in his ship, the latter acts towards her as if she ought to "capitulate" to him. Still later, when the young hero's mother is found in the ship, he takes her to be his father's "girl." All these sights are not the kind that can be told in the family circle, particularly not to children. Yet the picture is not without merit; it is of the virile sort, and suitable for adults that do not dislike this type of picture. The storm scenes do not produce the effect intended, for the reason that storm scenes cannot be created at the order of man. Where the storm is supposed to be raging, the ship is shown as stationary, and only the titles as well as the artificial rain try to make one believe that there is a storm on.

The story has been written by Norton S. Parker; it has been put into a picture by Joseph Hennabery. Mr. Hennabery did the bits he could with the material he had. Mrs. Wallace Reid cannot act; and the sooner she realizes it the better it will be for her as well as for the exhibitors. Noah Beery is good, so is Reed Howes, as well as the little girl that takes the part of the heroine.

"Ladies of the Mob"—with Clara Bow

(Paramount, June 30; 5,834 ft.; 67 to 83 min.)

It was a mistake to put Clara Bow in a picture of this type. It is a crook melodrama, in which she, a member of a gang crooks, tries desperately to make the hero, whom she loves desperately, quit that sort of life and settle down to a peaceful way of living, a thing she does not succeed doing until towards the closing scenes, where she shoots and wounds him to save him from committing another crime and "burning" in the electric chair. The suggestion is that, after the shooting, both are caught by the police and are sent up the river to serve time, each promising to the other that he would wait until the end of their sentence. Despite the good acting on the part of Miss Bow and of the thrilling action, it is a gloomy affair at its best, and one that neither edifies nor pleases. On the contrary, it leaves one in the frame of mind one finds himself after returning from a funeral or after surviving from a great calamity. It is true that the theme shows vividly how hard a woman will fight to save the man she loves, but the development of it is such that it does nobody any good; it is better that picture-producers keep away from such stories. There is considerable "shooting," particularly in the closing scenes, where hero and heroine are coralled in an old shack, where they had been living, and from which shack they succeed escaping by a ruse until the heroine, realizing that the hero would again go back to the "racket," shoots and wounds him with the hope that she, by drawing the attention of the police and having him as well as herself arrested, would prevent him from committing another crime and perhaps paying the death penalty for it.

The plot has been founded on the story by Ernest Booth; it has been directed by Mr. William Wellman well. Richard Arlen takes the part of the crook-hero. Helen Lynch, Mary Alden, Gerard, Bodil Rosing and others are in the supporting cast.

NOTE: Inasmuch as the Clara Bow pictures were sold as a star series one cannot tell whether it is a substitution or not.

"Gow"

(Regional; about 7,000 ft.; 81 to 100 min.)

"Gow" is a thrilling picturization of events among the head hunters and cannibals of the South Seas Islands, notably of the Fiji, Solomon and New Hebrides groups. It was made by Captain Edward A. Salisbury, and photographed by the Messrs. Cooper and Schoedsack, who made "Chang." They accompanied Captain Salisbury on a long voyage into the little known and seldom visited parts of the South Seas; and what they brought back is a fine instructive film of life, habits, civilization and the general goings-on of the dark, unclothed people of those regions.

The most interesting and thrilling thing the cameramen have recorded is a battle between the great Chief Gow and some enemies, who made off with his married daughter. This battle is fought after Gow had rallied his several minor chieftains and their fleets of great war canoes. Paddling like mad-men, they went over the ocean to reach the stone walls, which the marauders had erected for defense. Gow landed on one side of the island, the minor chieftains on the other, and when their joint attack was made their spears began flying through the air and men began to fall. This battle was recorded in the film because Salisbury's men, in speed boats, outdistanced the war canoes and were on the scene when the scrapping began.

Of outstanding interest are also many shots of the native dances, particularly those of the cannibals, who dance for hours until they bring themselves into a state of frenzy and begin slugging their friends over the head with pigs.

The skull-houses of the head hunters where they keep their trophies are also shown, as are many other fascinating details of their life.

"Gow" has been shown in several cities to the accompaniment of a lecture by Captain Salisbury in person. The business is reported as having been good. It is the sort of a picture upon which college and school tieups can be obtained, and the exhibitor working hard on this one can do well, for it is all it is represented to be. Captain Salisbury's lecture tells many things not in the titles, and even without him, it holds up well for the tribal dances and the battle scenes are enough to insure its success.

"Gow" is one of the best South Sea Island pictures filmed to date. It is a real novelty, with an appeal to all types of picture-goers.

"How to Handle Women"—with Glenn Tryon

(Universal-Jewel, Sept. 3; 5,592 ft.; 65 to 80 min.)

Pretty good. It is a comedy, with a farcical twist in it. Mr. Tryon this time is a country boy cartoonist, who goes to New York to set the world afire with his cartoons. Nobody will believe him when he insists that he is a genius until he finds out that the Crown Prince of Volgaria came to the United States to get a loan and nobody would give him one, because the bankers thought his country was too poor to risk lending money to; he then climbs through the window, reaches the Prince, and tells him of the scheme he had in mind to help him raise the money. The Prince's attendants were about to evict him but the Prince, having had an opportunity to hear partly his plan and liked it, orders his attendants not to molest him. By agreement with the Prince, the hero impersonates the Prince and carries on negotiations with the bankers. He was able to convince the bankers that a loan to Volgaria was safe in that the country produced millions of peanuts annually; and peanuts were popular in the United States. Just as the bankers signed the papers and handed them to the "Prince" for his signature, the villain, one of the Prince's retainers, informs the bankers that the "Prince" is a hoax. They chase to arrest him. But the hero, aided by the heroine, a newspaper woman with whom he had fallen in love, reaches the Prince in time to get his signature on the papers and to make them legal. Hero and heroine marry.

There is a great deal of light comedy all the way through, and, in the scenes of the chase, thrills. The interest is held pretty well. The plot has been founded on the story by William Craft and Jack Foley; it has been directed by Mr. Craft. Marian Nixon is the heroine, Raymond Kean, Bull Montana, Cesare Cravina, Robert T. Haines and others are in the cast.

"THE BIG PARADE": No. 851 (Sept. 10): O. K.
 "ANNIE LAURIE" No. 836 (Sept. 17): O. K.
 "ROAD TO ROMANCE" No. 729 (Sept. 24): Metro-Goldwyn-Mayer have mixed up their Novarro and Fred Niblo releases so much that I doubt if they themselves know what is what. This picture was sold in the 1926-27 group as "Romance." I don't know whether they delivered to you this picture or some other. And I don't know whether it has been delivered to you this year for something they sold you in the 1927-28 group or not. You will have to find it out yourself directly from them.

"BEN HUR" No. 850 (Oct. 2): O. K.
 "BODY AND SOUL" No. 809 (Oct. 11): Not a substitution but a poor picture.

"THE FAIR CO-ED" No. 736 (Oct. 15): The original title of this picture was "Mary of Vassar," and was sold on the 1926-27 group. If Metro-Goldwyn is furnishing you with "Co-Ed" for some Marion Davies' picture you have bought in the 1927-28 group, it is a substitution and you may refuse to accept it.

"SPRING FEVER" No. 815 (Oct. 22): O. K.
 "IN OLD KENTUCKY" No. 823 (Oct. 29): O. K.
 "THE GARDEN OF ALLAH" No. 837 (Nov. 5): O. K.

"BECKY" No. 818 (Nov. 12): O. K.
 "MAN, WOMAN AND SIN" No. 834 (Nov. 19): O. K.
 "THE THIRTEENTH HOUR" No. 801 (Nov. 26): O. K.

"LONDON AFTER MIDNIGHT" No. 838 (Dec. 3): The original title of this one is supposed to have been "The Hypnotist." But "The Hypnotist," although it was not described in the Metro-Goldwyn trade paper insert, would lead one to believe that it would be a picture that dealt with hypnotism, whereas "London After Midnight" is a Scotland Yard picture and has nothing to do with hypnotism. To any fair-minded arbitration board this should be a substitution.

"TEA FOR THREE" No. 804 (Dec. 10): No facts given to help one.

"THE LOVELORN" No. 820 (Dec. 17): O. K.
 "BUTTONS" No. 808 (Dec. 24): O. K.
 "QUALITY STREET" No. 827 (Dec. 31): O. K.

"LOVE" No. 853 (Jan. 2): Originally this was sold as a Greta Garbo No. 1, Release number 831. After making the picture, giving it 853 as a release number, M-G-M withdrew it. Those exhibitors whose contracts contain "Love" are entitled to it and they will get it if they don't lie down.

"WEST POINT" No. 817 (Jan. 7): O. K.
 "THE DIVINE WOMAN" No. 832 (Jan. 14): O. K.

"BABY MINE" No. 812 (Jan. 21): "Red Pants" was the original title of this one, but it is not the same story for the reason that "Red Pants" was to be a story by Edward Sedgwick and Lew Lipton, whereas "Baby Mine" has been founded on the stage play by Margaret Mayo. A clear story substitution.

"WICKEDNESS PREFERRED," Cody and Pringle No. 3; Rel. 805 (Jan. 28): No facts given; so not a substitution.

"THE STUDENT PRINCE" No. 854 (Jan. 30): O. K.

"THE BIG CITY" No. 839: The original title of this one is supposed to have been "Hate," but they are not the same stories, for the reason that "Hate" was to have been founded on "The Four Stragglers," by Frank Packard, whereas "The Big City" has been founded on a story by Tod Browning. It is a clear story substitution.

"THE SMART SET" No. 816: The original title of this one is supposed to have been "Smart Alec"; but it is not the same story, for the reason that "Smart Alec" was to have been a story by Florence Ryerson and F. Hugh Herbert, whereas "The Smart Set" is by Bryon Morgan. A clear story substitution.

"THE CROWD" No. 841: O. K.

"THE PATSY" No. 828: This is supposed to be the new title of "Dumb Dora"; but "Dumb Dora" was to have been founded on the comic strip by Chic Young, whereas "The Patsy" has been founded on the stage play by Barry Connors. It is a clear story substitution.

"BRINGING UP FATHER" No. 819: O. K.

"UNDER THE BLACK EAGLE" No. 802: Bonaparte, the dog, was promised as the star; Flash is being starred. A star substitution.

"CIRCUS ROOKIES" No. 813: No facts given.

"ACROSS TO SINGAPORE" No. 830: This is supposed to be the new title of "The Prince of Graustark," No. 830 in the Work Sheet. But they are not the same story for the reason that "The Prince of Graustark" was to have been founded on George Barr McCutcheon's famous novel, of the same name, whereas "Across to Singapore," which is

a mediocre picture, has been founded on a story by Ben Ames Williams. It is a clear story substitution and you are not obligated to accept it.

"LAUGH, CLOWN, LAUGH!" No. 840: "Seven Seas" is supposed to have been the original title of this one. But "Seven Seas" was to have been founded on one of Gaston Leroux's stories, the locale of which was to be Devil's Island, whereas "Laugh, Clown, Laugh!" has been founded on the stage play by Tom Cushing and David Belasco. A clear story substitution.

"THE ACTRESS" No. 824: No author was given for "The Bridal Night," which is supposed to have been the original title. Not a substitution.

"DIAMOND HANDCUFFS" No. 822: "Business Wives" is supposed to be the original title of this picture; but it is not the same story, for the reason that "Business Wives" was to have been founded on the Winifred Van Duzen serial, which was syndicated in the Hearst newspapers and "hundreds of others," whereas "Diamond Handcuffs" has been founded on an original story by Carey Wilson. It is a clear story substitution.

"A CERTAIN YOUNG MAN" No. 647: Ramon Novarro No. 647, which was designated as Novarro No. 3, was sold on the 1925-26 program, and was completed at that time. Therefore it has no business on the 1927-28 group. If Metro-Goldwyn is delivering this picture to you for a Novarro you bought on the 1927-28 group, you are not obligated to accept it. Nor are you obligated to accept it if you have a Novarro picture coming from the 1925-26 group; your contract for that picture has been outlawed, for this reason: The Uniform Exhibition contract stipulated that if any picture was made outside the life of the contract, the distributor was obligated to deliver it no matter when he produced it, and the exhibitor had to accept it, no matter when tendered to him. But this picture was not made "outside" the life of your contract; it was made during its life. For this reason, you don't have to accept it. If they failed to deliver it to you at that time, the grief should be theirs, not yours. (Willard Louis died on the first week in August, 1926. So the picture was made within the life of all 1925-26 contracts.)

"DETECTIVES" No. 814: No facts were given in the Work Sheet for No. 814 to enable one to tell whether it is a substitution or not.

"FORBIDDEN HOURS" No. 730: No. 730 was sold in the 1926-27 group as Ramon Novarro No. 2. It has no business on the 1927-28 group.

The other Metro-Goldwyn-Mayer pictures will be analyzed when reviewed.

First National Substitutions

"THREE'S A CROWD" No. 428: First National sold three Harry Langdon pictures in the 1927-28 season: No. 1—"The Butter and Egg Man," (Release no. 426,) No. 2—"The Nineteenth Hole," and No. 3, without any title, but No. 428 as the release number. "Three's A Crowd" is Langdon No. 3. Not a substitution.

"RED RAIDERS" (465): Six Ken Maynard pictures were sold in the 1927-28 season. The Annual Announcement gave the titles as follows: "The Caravan Trail," "Captain of the Strong," "The Royal American," "The Upland Stage," "The Canyon of Adventure, and "Gun Gospel." Inasmuch, however, as no authors were given, they are not substitutes. But even if they were, you would not be the loser for accepting them, for every one of the Ken Maynard pictures that has been produced so far has been good.

"SMILE, BROTHER, SMILE!" No. 450: "Road to Romance" was the original title of No. 450. Not a substitution.

"THE LIFE OF RILEY," No. 453: "East Side, West Side" is the original title of this one. Not a substitution.

"THE DROP KICK," No. 400: Not a substitution.

"ROSE OF THE GOLDEN WEST," No. 545: O. K.

"AMERICAN BEAUTY," No. 433: O. K.

"THE CRYSTAL CUP," No. 379: Not a substitution.

"NO PLACE TO GO," No. 457: O. K.

"HOME MADE," No. 462: O. K.

"MAN CRAZY," No. 452: O. K.

"VALLEY OF THE GIANTS," No. 441: O. K.

"THE LOVE MART," No. 544: "Louisiana" is the original title of this one. Not a substitution.

"FRENCH DRESSING," No. 446: O. K.

"SAILOR'S WIVES," No. 459: O. K.

"THE NOOSE," No. 437: O. K.

(To Be Concluded Next Week)

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions	12.00
Canada and Mexico..	12.00
England and New Zealand	14.50
Other Foreign Countries	16.50
25c. a Copy	

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, JUNE 30, 1928

No. 26

An Analysis of the 1927-28 Substitutions---No. 3

(Continued from last week)

First National Substitutions

Part of the First National substitutions were printed in last week's issue.

"THE WHIP WOMAN," No. 445: "Golden Calf" is supposed to be the original title. But "Golden Calf," or Kane No. 2, was announced as an Aaron Davis story, which was published in the Liberty Magazine, whereas "The Whip Woman" has been founded on a story by Forrest Halsey and Leland Hayward. It is a substitution.

"THE CHASER," No. 426: "The Butter and Egg Man" is supposed to be the original title of this Langdon No. 1 picture. But the story is not the same, for the reason that "The Butter and Egg Man" was to have been founded on the stage success by George S. Kaufman, whereas "The Chaser" has been written by Harry Langdon himself. It is a substitution.

"FLYING ROMEOS," No. 455: This is being delivered in place of "Down Went McGinty." But "Down Went McGinty" was to have been founded on the popular song of the same name, whereas "Flying Romeos" has been written by John McDermott. But the picture is so good that you will lose out if you do not accept it.

"MAD HOUR," No. 447: O. K.

"CHINATOWN CHARLIE," No. 461: This Johnny Hines' picture is being delivered for "A Pair of Sixes." But "A Pair of Sixes" was to be a "stage farce comedy by Edward H. Peple," whereas "Chinatown Charlie" is by Owen Davis. It is a substitution, but it is a good picture and therefore you cannot afford to reject it.

"VAMPING VENUS," No. 456: Not a substitution.

"THE YELLOW LILY," No. 435: This is being delivered in place of "Once There Was a Princess." "Once There Was a Princess," however, is the Saturday Evening Post story by Juliet Wilbur Tompkins, whereas "The Yellow Lily" was written by Alexander Korda. It is, therefore, a substitution. But according to my information the picture is drawing so well that you cannot afford to reject it. You cannot afford to reject any picture that draws.

"THE HAWK'S NEST," No. 442: Not a substitution.

"THREE RING MARRIAGE," No. 460: The title given to No. 460 originally was "Do It Again." But as no facts were given about "Do It Again" we cannot determine whether it is or it is not a substitution. You have to accept it.

"THE WHEEL OF CHANCE," No. 438: The original contract did not give a title for No. 438, Richard Barthelme No. 3. Later, First National announced that "Roulette" would be the title. It has now changed it to "The Wheel of Chance." It is not a substitution.

"HAPPINESS AHEAD," No. 429: This is the new title of "Baby Face." But inasmuch as no facts were given with "Baby Face" we cannot tell whether it is a substitution or not. You have to accept it.

The other pictures will be analyzed as they are reviewed.

Warner Bros. Substitutions

It is difficult for one to tell really how many of the pictures Warner Bros. are delivering are substitutes, for the reason that last year they gave no author along with the title, and very little descriptive matter to enable one to know what kind of picture he was going to get. Whether this is a good plan for you or not, you are the judge. To be fair to Warner Bros., how-

ever, I may say this, that for program stuff, their 1927-28 product has not turned out to be bad, and if you have bought it at program prices it is possible that you have not lost out; but if you have paid "Special" prices for it, I fear that you have not made a good bargain.

The danger from this plan of picture-buying, however, lies in the fact the a company may make a good picture and deprive you of it, and you will have no way of forcing it to deliver it to you. We have an example by this very company: Originally they sold you "A Million Bid." In the orgy of substitutions that prevailed in the 1926-27 season, Warner Bros., as best as I can make out, decided to deliver a different story with the same title. And so they announced in the trade papers, particularly in the Moving Picture World of January 29, February 12, 19 and 26, March 5 and 19, 1927; also in several issues of Motion Picture News in the early part of 1927. But after nearly finishing the picture they found out that it was a good one and decided to give you the original "A Million Bid." And so they again announced the production of "A Million Bid," as gathered from the issues of Moving Picture World of April 2 and 9, and of May 2 and of other issues of this publication.

It is preferable that you should know what you are buying. If not, just buy them by the "bushel."

The only material that I have to work with in my efforts to find out how many Warner Bros. pictures are substitutes is a Work Sheet, or "Exhibitors' Herald," as this company calls it, which it put out last year. Comparing the promises they made in that Work Sheet with the pictures they have delivered or are delivering to you, I find the following substitutions:

"SAILOR IZZY MURPHY," No. 195: This is supposed to be the new title of "Finnegan's Ball": The title indicates that this would be an Irish comedy; "Sailor Izzy Murphy" is a Jewish-Irish comedy, and it is a story of lunatics aboard a yacht. No connection whatever between the two possible pictures. Any fair-minded board should, therefore, declare this a substitution, which it really is.

"GINSBERG THE GREAT," No. 196: This is supposed to be the final title of "The Broadway Kid." But the Warner's Work Sheet stated that "The Broadway Kid" would be the "Story of the Great White Way," whereas "Ginsberg the Great" is about a small-town boy that goes to the city, gets in with crooks, saves some jewels from a wealthy theatrical producer, and, with the aid of this producer, becomes a featured magician. It is clearly a substitution and any fair-minded arbitration board should so declare it.

"THE LITTLE SNOB," No. 206: This is supposed to be the new title of "Rebecca O'Brien." But "Rebecca O'Brien" was described in the Work Sheet as, "A Jewish-Irish story of humor, pathos and action," whereas "The Little Snob" is the story of an American girl of poor parents, whose father conducts a concession at Coney Island; he sends her to a boarding school and she comes out a snob. It is a story substitution, and arbitration boards, if not prepossessed in favor of the exchange, will so declare it.

"THE CRIMSON CITY," No. 213: This is supposed to be the new title of "O'Reilly and the 400." But although no description of it was given in the Work Sheet, the title indicates that "O'Reilly and the 400" would be the story of an Irishman who became wealthy, entered into society and did not know how to act, until he got tired of pretense and once again came down to earth, acting as a regular human being instead of an

(Continued on last page)

"Tenth Avenue"—with Victor Varconi, Joseph Schildkraut and Phyllis Haver

(*Pathe, August 5; 6,370 ft.; 74 to 90 min.*)

There are many thrills in this crook melodrama, and the spectator is held in suspense throughout; at times in tense suspense. The direction and acting are of the first order. But the story is not of the over-pleasant sort. It has to do with gangsters, living in a rooming house on Tenth Avenue, New York City, one of whom murders a money lender and robs him of his bank roll. It is true that he commits this crime to hold the girl (heroine) he loved, which hold he had felt slipping because of the great liking the heroine had shown for another crook, more handsome and not as vicious. But this is no excuse for the crime. The interest the heroine had felt for the murderer was only maternal, that protective interest women usually feel for weak persons; she did not want to see him go back to the "racket," and tried to hold him by half-promising to marry him. The suspense is created by the efforts of the police authorities to uncover the mystery and to find the criminal. There is also a self-sacrifice, offered by the crook the heroine really loved; he had refused to tell the police that the evidence found on him had been handed to him by the murderer, who had promised to leave town and to forget the heroine; he felt that the heroine should not marry a murderer. In the development of the plot, the real murderer is, of course, detected, and the innocent crook freed.

The action is so realistic that one feels as if being present in a real life occurrence. Victor Varconi arouses the spectator's sympathetic interest by his clean looks and by his manly self-sacrifice. Joseph Schildkraut takes a very unsympathetic part. Phyllis Haver, too, does good work and arouses some sympathy. But the acting honors in this picture belong to that great old actor, Robert Edeson. As the chief of the detectives, he is excellent. The easy way by which he interrogates the crooks, his smiling yet deeply clever manner of exacting the truth from them, could not be exceeded even in real life. There is one situation where Phyllis Haver, too, does mental third degree work that should qualify her for a job on a detective force; it is where she exacts the truth from the murderer by looking into his eyes and leading him on, until she makes him fidgety and forces him to confess.

The plot has been founded on the stage play by John McGowan; it has been directed skillfully by William DeMille. Ethel Wales, Casson Ferguson, Louis Natheaux and Ernie Adams are other players in the supporting cast.

"Three Ring Marriage"—with Lloyd Hughes and Mary Astor

(*First National, June 10; 5,827 ft.; 67 to 73 min.*)

Not a bad romance. It unfolds out in the West, where the hero, a crack shot, falls in love with the daughter (heroine) of the ranchman he was working for. For this, he is discharged by his employer. He joins the circus as a famous shot. The heroine leaves home and goes to the circus, where she applies for a position as a rider, really to be near the hero. The manager, a lady-killer, becomes so struck with her beauty that he gives her a job. But what he really had in mind was to "possess" her. Some misunderstandings take place between hero and heroine on account of the attention the villain had shown to the heroine, and because of a girl-rider's seeming infatuation for the hero, who did not reciprocate the feeling. Jealousy on the part of the hero, too, brings about a break in their engagement. One of the heroine's girl friends, who knew that hero and heroine loved each other, suggests to the heroine to write a letter to the villain, which she (the girl friend) would present to the hero with the statement that she had found it on the villain's desk, showing that the heroine agreed to the villain's marriage proposal. This, as she suggested, would arouse the jealousy of the hero, who would rush to the appointed hotel to stop the marriage. The heroine accepts the plan. But it goes awry, as one of the letters she had written and thrown away as unsuitable falls into the hands of the villain. The villain, thinking the letter genuine, goes to the place the letter had indicated. But a midget, friend of the hero, knowing where the villain was going, asks his midget wife to inform the hero, and then hides in the villain's valise. The heroine is surprised when the villain walks into her room. But the midget friend was there to see that no harm befell her until the hero's arrival; he had cut the leather with a knife and come out of the valise. The hero arrives and gives the villain a good beating. Everything is patched up between hero and heroine.

Considerable comedy is caused by Harry Earles, the midget, and Tiny Earles, who takes the part of his wife; also by a monkey, who expresses at times surprise, at times anger, and who at times laughs, just as the occasion requires. The scenes where the monkey imitates a garrulous person, too, are comical.

The plot has been founded on a story by Dixie Willson; it has been directed by Henry Hobart.

"A Ship Comes In" with Joseph Schildkraut

(*Pathe-DeMille, June 3; 6,902 ft.; 80 to 98 min.*)

Like many of the George Cohan plays, "A Ship Comes In" plays upon the sympathies of the spectators by "waving the American Flag." It is a patriotic subject, and as such it will naturally appeal to most American picture-goers. But in some of the situations the appeal to the emotions is not directed by patriotism alone; also dramatic value plays some part. The scenes in the court room, for example, where the hero is convicted and sentenced to life imprisonment for a dynamite explosion he had no knowledge of, in which explosion a United States judge had been injured and his secretary killed, are indeed pathetic. The scenes of the hero's liberation as a result of the death-bed confession of the guilty man, too, are pathetic. There are other situations where the heart interest is strong.

The story revolves around a Russian Hebrew, who comes to America with his family and settles in New York City. He becomes a citizen and is proud to be one. An anarchist plants a bomb in the federal building and the resulting explosion injures the judge who had made the hero a citizen and kills the judge's secretary. The hero is arrested on suspicion and is convicted. But the guilty man's death-bed confession frees him to return to his family.

Mr. Joseph Schildkraut, as the hero, does very good work. Louise Dresser is very good as the hero's wife. Robert Edeson does well as the judge.

The plot has been founded on an original story by Julien Josephson; it has been directed well by Mr. William K. Howard.

NOTE: This picture was sold as "His Country." It is not a substitution.

"The Perfect Crime"—with Clive Brook and Irene Rich

(*F B O, Aug. 19; 6,337 ft.; 73 to 90 min.*)

This is a peculiar picture. Judged after one has seen it all, one cannot help pronouncing it an excellent murder-mystery melodrama. But one feels a variety of emotions before he has seen the entire picture and realized what it really is. After a reel or so, the hero, a famous detective, a man who had made a reputation for having solved every crime, in which his services were asked, is shown deliberately committing a murder, first, by giving his victim poisonous tablets, and later, by cutting his throat (this is only implied—nothing is shown), his object being to remove every clue so as to make it impossible for the authorities to detect the real criminal, his desire being to commit a "perfect crime." Just before the closing scenes, when the author has not yet shown the wind-up of the story, it is shown that the hero had realized that it is useless for any one to think that he can commit a crime and go undetected, for even if one should commit such a crime something inside him will give him away. This moral somewhat offsets the bad taste one feels as a result of seeing a hero commit a deliberate murder. The closing of the story, however, shows that all this was planned by the hero only in his mind; he, like the author of a novel, after conceiving the action, shakes his head as if to say, "It will not work that way." It is only then that all traces of "bad taste" are removed; one feels greatly surprised at the twist the story takes. The picture has been produced so well that one is held in tense suspense throughout. The court-room scenes, showing (in the hero's imagination) the trial, conviction and sentence of an innocent young man are, of course, heart-rending. The pleas of the condemned man's wife to the hero to undertake to prove the innocence of her husband, too, are pathetic.

The plot has been founded on an original story, "The Big Bow Mystery," by the famous writer Israel Zangwill. It has been directed well by Bert Glennon. Clive Brook does excellent work as the famous detective. Ethel Wales, as the wife of the murdered man, does good work, too. Carroll Nye is good as the condemned young husband. Edmund Breesc does well as the detective captain. Tully Marshall takes the part of the murdered man.

"Hit of the Show"—with Joe Brown and Gertrude Olmsted

(F B O, Sept. 23; 6,337 ft.; 73 to 90 min.)

There are some laughs in this picture, but there are also some tears—mostly tears. It is a deeply moving picture, and a clean one. The scenes that show the death of the good-hearted actor, who loved the heroine, move one deeply. There are heart-interest situations all the way through.

It is the story of a young girl, daughter of a wealthy father, who, just a few minutes before the wedding ceremony marrying her and her sweetheart was to be performed, runs away, leaving a note behind, asking her father's forgiveness. She calls on a theatrical producer, friend of her father's, and asks him to give her a part in the cast of one of the shows. The friend agrees to give her a chance provided her father would approve his action. The heroine did not want him to tell her father where she was and she runs out of the building. The hero, an old actor, who had been sent for to be given a part, runs after her. He takes her to his boarding house, where his good landlady gives her a room. When he returns for the job, he finds it filled. Hero and heroine establish a friendship. The landlady, too, who at first was hard on the heroine, learned to like her when she realized what a thoroughbred she was. In time the hero is given a part in a show by another theatrical producer. He succeeds in inducing this producer to give a part also to the heroine. On the eve of the performance the hero overhears the star performer promising his mistress to give the heroine "the works." The hero drags him in the dressing room, binds him, and after making up himself he appears in the star's part. He lets the heroine know who he is. They make a hit. But at the end of the act, the hero, who had a weak heart, collapses. He dies in the arms of the heroine. The heroine goes back to her sweetheart, who, after he had discovered her, called on her and induced her to give him the reasons for her disappearance; she had disappeared because she had thought, as she said to him, that he had proved unfaithful to her. But he gave her a satisfactory explanation for the acts of his which she had misinterpreted.

The plot has been founded on an original story ("Notices") by Viola Brothers Shore. It has been directed by Ralph Ince with great skill. Mr. Brown is a fine actor, but his looks are rather against him. However, he is good for such parts as this one. Gertrude Olmsted has never appeared to a better advantage; she proves to be a real artist. It is too bad that Metro-Goldwyn-Mayer have not recognized her ability to give her the prominence her ability entitles her to. Gertrude Astor, as the landlady, is very good. In fact every one does well, thanks to the masterly direction of Mr. Ince.

"The Cop"—with William Boyd

(Pathe, August 19; 7,054 ft.; 82 to 100 min.)

There is a hold-up scene in this picture which, for realism, has not been seen in pictures for years. I doubt if a true-to-life hold-up scene could give one greater thrills. It is so cleverly conceived and so well executed that one gasps for breath until it is all over. There is, of course, a master mind among the crooks, who plans it; and his men carry it out without a hitch. First, one car, at the appointed time, drives in front of the armored car that carried thousands of dollars, and stops it. Then a heavy truck, driven by another confederate, drives at high speed, bumps against the armored car and wrecks it, tearing it apart. The crooks then carry the money away. Confederates posted in shops and rooming houses with machine guns complete the picture. There are other thrilling situations in other parts of the picture; but the situation just described is the most thrilling. The action holds one's interest from the very beginning. And one is made to feel friendly toward the hero by proper characterization. In the beginning he is shown as a draw-bridge tender. At one time he secretes a crook with a bullet wound in his arm; he had been chased by the police immediately after a hold-up. But the hero's kind-heartedness is rewarded by the crook's stealing his coat and \$25, while the hero was out to buy grub to feed the crook with. The hero becomes tired of his work and joins the police force. It was during his beat that the armored car had been held up and the money stolen, and his friend, also a cop, killed. He then vows to catch the murderers, whose leader happened to be the very same man that had stolen his money and his overcoat. By following the heroine, member of the gang, he is able to locate the hiding place of the master mind. But when he gets into the house, he finds the master mind gone. However, he

telephones headquarters to cover the river and to leave the bridge to him. He then suggests to the heroine, for whom he had felt an interest, because of dawning love, that it would be dangerous for her to go to the bridge that night. He goes to the bridge, but finds the heroine there. He realizes that she had gone there not to warn the crooks but to tell him (the hero) that his life was in danger. In a pistol duel with the crook, the hero comes out the victor; he had aimed at and shot the master crook in the head, being the only vulnerable spot, his body being protected by a steel jacket. The wounded crook drowns in the river. The heroine promises the hero to give up the "racket." (It is implied that they married.)

The plot has been founded on the story by Elliott Clawson; it has been directed with great skill by Donald Crisp, from a screen play by Tay Garnett. Mr. Boyd does good work as the hero, Robert Armstrong as the master criminal, and Jacqueline Logan as the heroine. Alan Hale is good, too, as the chief of the homicide squad.

Although a crook play, it leaves no bad impression.

"Wheel of Chance"—with Richard Barthelmess

(First National, June 17; 6,874 ft.; 80 to 98 min.)

The unfortunate part about engaging a prominent author to write a story for a star is often the fact that when such author writes a "lemon," the producer is compelled, because of the big money he has paid him for the story, to put it into pictures. It seems as if that is just what has happened in this instance; for it is inconceivable that the producers were unaware that "Roulette," which is the original title of this Fanny Hurst story, would not make a good picture. To begin with, nothing that the characters do arouses the spectator's sympathy. Following this, Richard Barthelmess, as the hero, does things that his followers in this country will not like. He has made a reputation by impersonating real American boy parts, clean and wholesome. It is such parts that have gained him fame. For them, then, to see him in a somewhat villainous role, infatuated with a woman and lying to his mother in order to lead her into believing that he still was "mother's boy," it will undoubtedly prove a severe jolt. The whole story is sordid. In the beginning, the hero's family is shown in Russia. The Russians massacre the Jews while the hero was still a little boy and his twin brother is hit on the head with a sabre and left by his parents for dead. A drunken woman lifts the coat off the boy's body and when she finds him alive takes him away. She comes to America. The hero's parents, too, come to America. The hero grows to manhood and becomes a lawyer. He becomes infatuated with a woman and lies to his mother in order to keep her ignorant of the fact. Soon he discovers another man in her room and breaks with her. The supposedly dead brother grows to manhood, too, but in the slums. His foster mother dies of drunkenness, and the twin brother meets with his brother's (hero's) discarded sweetheart; they establish a friendship. His love for her makes him work hard to provide a nice home for her. But she had not changed color; secretly she made men friends, who provided her with the things her boy lover could not buy. The boy lover discovers evidence of her infidelity and grabs her by the throat, not really to choke her but to frighten her. But while he was pushing her against the wall, a nail is driven into her back and she dies. He is arrested. The hero, who worked as an assistant to the district attorney, takes up the prosecution. His mother is struck by the defendant's resemblance to her living son and prevails upon her son to be lenient with him, the accused. The hero makes so weak a prosecution that the accused is acquitted.

The closing scenes show the mother imploring her son not to let the acquitted boy get away from them. It is implied that his identity eventually would become known to the mother.

The picture was directed by Alfred Santell. There is nothing the matter with it. Nor with the acting. The story is not there, that is all.

It is not a picture for the family; particularly not for children.

ATTENTION!

If you have been notified by a distributor that the title of a particular picture has been changed, notify this office at once so that an investigation may be made to determine whether it is a substitution or not. I have no way of knowing when a title is changed unless you let me know.

automaton. In place of such a logically possible story, Warner Bros. are delivering "The Crimson City," a story unfolding in Shanghai, China, and revolving around the love of a Chinese girl for a white hero. It is clearly a substitution.

These are all the substitutions that I can dig out from this company's program.

Universal Substitutions

"THE LONE EAGLE:" "War Eagles" was the original title of this one. Not a substitution.

"THE THIRTEENTH JUROR": This picture was sold as "Honor and the Woman." The author for both is Henry Irving Dodge; therefore, it is not a substitution.

"STOP THAT MAN": The original title of this one was "The Girl Show" (Release No. A5707). No author was given in the Campaign Book to help one determine whether it is a substitution or not.

"HOT HEELS," with Glenn Tryon: In the campaign Book it was stated that this picture would be founded on Harry O'Hoyt's "Patents Pending." In the Work Sheet, Gerald Beaumont was given as the author. The finished product has been founded on a story by Jack Foley and Vin Moore. It is, therefore, a story substitution. But inasmuch as "Hot Heels" has turned out to be a good picture no one is the loser by accepting it.

"A HERO FOR A NIGHT": This is being delivered in place of "How to Make Love." No author for "How to Make Love" was given in the announcement; therefore you will have to accept "A Hero for a Night," which at one time was called "Flying Nut." The picture is a knockout, however, and you should accept it even if we could prove that it is a substitution.

"THE COUNT OF TEN": This is being delivered in place of "He Knew Women." It is a different picture entirely, for "He Knew Women" was to have been founded on the Morris Gest musical comedy "The Peasant Girl," whereas "The Count of Ten," which formerly was called "Kid Gloves," has been written by Charles Ray. But the picture is so good that no one is the loser by accepting it.

"MY WONDERFUL ONE": The new title of this picture will be "Jazz Mad." It has not yet been released; it will be released next Fall. It will be delivered to those who hold a contract for it, just the same.

"ETERNAL SILENCE": "Grip of the Yukon" will be the new title of this picture. It has not yet been released, but it will be released next fall and, according to Universal, will be delivered to every one of you that has a contract.

The Reginald Denny and the Hoot Gibson pictures were sold as star series. No stories or authors were given with them, and, therefore, none of them is a substitute.

The following are not substitutions: "Back to God's Country," "Silk Stockings," "Cheating Cheaters," "The Chinese Parrot," "The Small Bachelor," "Wild Beauty," "The Irresistible Lover," "A Man's Past," "Finders Keepers," "Alias the Deacon," "The Fourflusher," "Midnight Rose," "Surrender," "Love Me and the World is Mine," "Thanks for the Buggy Ride," "Thirteen Washington Square," "We Americans," and "Buck Privates."

The other pictures of the 1927-28 program will be analyzed as they are reviewed.

Pathe (Pathe-DeMille) Substitutions

The only substitutions that I have so far been able to discover in this company's product are the pictures that were so declared in the issue of May 19. They are the following:

"MIDNIGHT MADNESS," No. 324: This picture was promised with Jetta Goudal and is being delivered with Jacqueline Logan. This information was printed on page 427, June 11, 1927, of Moving Picture World, and in the June 10 issue of Motion Picture News, page 2275, as well as in many regional publications. Pathe cannot force you to accept this picture because of the substitution of the star.

"THE LEOPARD LADY," No. 304: This picture, too, was promised with Jetta Goudal as the star and is being delivered with Jacqueline Logan. You will find the promises they made printed in the same pages as are printed the promises about "Midnight Madness." "The Leopard Lady" is also a story substitution, in that the trade paper announcements said that the story was to be

by Clara Beranger, whereas the finished product has been founded on a story by Edward Childs Carpenter.

"HIS COUNTRY" is ready for delivery now; it has been released in the early part of this month, under the title, "A Ship Comes In." Not a substitution.

"ALMOST HUMAN," No. 300: This is merely a change of title, the original being "Beautiful But Dumb."

"THE DRESS PARADE," No. 331: This, too, is a mere change in title, the original title having been "West Pointer."

"CRAIG'S WIFE" and "Power" have been completed, but they will be delivered to those who hold contracts for them, even though Pathe has included them in the 1928-29 group. Delivery will be made next Fall.

"RIP VAN WINKLE": This picture will not be made.

Paramount Substitutions

With the exception of 10 pictures, this company sold its product as star pictures; therefore, no picture sold in a star group can be declared a substitution. This analysis will, therefore, be confined to the ten pictures this company sold by titles, the facts of which were given in the trade paper inserts.

"WIFE SAVERS," No. 2705: The original title of this picture was "The Big Sneeze," which was changed to "Now We're in Dutch," before it was finally changed to "Wife Savers." It is not a substitution.

There are no substitutions among the other pictures that were sold by title.

The only picture that could be considered a substitution is "David Crocket." But immediately after this picture was announced last year, Paramount sent a letter to the exhibitors asking them if they would consent to having "Kid Carson" made in its place. There were about 200 accounts sold by that time, and, as I have been informed by the Paramount office, in almost every instance the exhibitor agreed to the change. So it is not a substitution.

Tiffany Substitutions

This company sold mere titles in the 1927-28 season and they are now delivering what they want. During the 1926-27 season, their Campaign Book gave at least some descriptive matter with the titles, by aid of which many exhibitors were advised by this office the possible substitutions. The Campaign Book of the 1927-28 season, however, did not give anything to enable one to determine whether any of the pictures are substitutes or not. But they are correcting this defect in the 1928-29 season; they are giving author and players in the majority of their pictures.

F. B. O. Substitutions

A hasty comparison of this company's finished pictures with what they promised in the trade-paper inserts and in their Work Sheets last year discloses the fact that they have made no substitutions. I am going to make a closer study of them soon and if I find any substitutions I shall let you know immediately.

DOES BOB KNOW THIS?

My friend Bob Lynch, chief of the Metro-Goldwyn-Mayer office in Philadelphia, goes into ecstasies in an ad in "The Exhibitor" about the reissue "The White Sister" in an effort to induce the exhibitors of his zone to book it and to pay, no doubt, big rentals for it.

I wonder if Bob's Home Office has informed him that on Friday evening, the last day of the engagement of this picture at the Capitol Theatre, a New York City Metro-Goldwyn-Mayer house, giving presentations and other musical acts as well as a Jazz Orchestra, there were over twelve rows of empty seats at 9:30, just before the first show was let out, and hardly anybody went in during the second show. If it hasn't, I am taking the liberty of informing him of the fact myself.

Any time Bob wants the "low-down" on things let him apply to this office. I won't charge him anything for the information.

LOOK OVER YOUR FILES

Look over your files and if you find any copies missing let me know and I shall be glad to send you duplicates free of charge. Don't wait until you need the missing copies to write for them; write now!

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....\$10.00
U. S. Insular Possessions 12.00
Canada and Mexico.. 12.00
England and New Zealand 14.50
Other Foreign Countries 16.50
25c. a Copy

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, JULY 7, 1928

No. 27

1928-29 Two Dollar "Hits" and "Flops" --No. 2

(Continued from Week of June 9)

In working out a table of points for the different 1928-29 two-dollar pictures in an effort to help you determine what each of such pictures is possibly worth to you, I used as a basis the rentals you paid for "The Big Parade" or for "What Price Glory." Since the week of June 9, when the first half of this article was printed, I have had talks with many exhibitors of this zone and have had correspondence on the subject with exhibitors from different parts of the country; and as a result of the information that I have received as to the present business conditions and as to what the prospects hold for the 1928-29 season, I have come to the conclusion that the rentals paid for these two pictures are too high for you to use as a basis as to what you should pay for the 1928-29 two-dollar pictures. The rentals paid for "Seventh Heaven" should be a fairer basis.

Accordingly, if you paid for "Seventh Heaven," say, \$500, then \$250 maximum should, in my opinion, be a good price for you to pay for "Street Angel"; if you paid \$100, then \$50 maximum should be the price. Half of what you paid for "Seventh Heaven," then, should be the 100 points of "Street Angel."

For convenience, let us reproduce the table, which appeared in the issue of June 9:

STREET ANGEL	100 P
FOUR SONS	70 P
SUNRISE	35 P
MOTHER MACHREE	45 P
ABIE'S IRISH ROSE	35 P
UNCLE TOM'S CABIN	70 P
THE MAN WHO LAUGHS	90 P
TEMPEST	125 P
TWO LOVERS..... (Small Towns 35P)	50 P
RAMONA	70 P
GAUCHO	50 P
DRUMS OF LOVE	25 P
WINGS	150 P
TENDERLOIN	25 P
GLORIOUS BETSY	45 P
TRAIL OF '98	100 P
FAZIL	85 P
THE LION AND THE MOUSE (Without Vitaphone)	40 P
KING OF KINGS	??

The pictures on the table from "Street Angel" to "The Man Who Laughs" were analyzed in the issue of June 9, where the reasons that prompted me to give their points or percentages were printed.

* * *

"TEMPEST," with John Barrymore; United Artists: This picture opened well at the Embassy, this city, and continued showing strength despite the warm weather. It played to capacity business the first weeks and nearly capacity up to this time. Mr. Barrymore's fame, coupled with the excellence of the production, makes this picture a good bet.

"TWO LOVERS," with Ronald Colman and Vilma Banky; United Artists (Sam Goldwyn): This picture made a poor showing at the Embassy, this city, where it played a few months ago. Although the Embassy has less than 600 seats, it did not fill them. The matinees, in particular, were a sorry sight. The picture is not bad; but it is a costume play, and appeals only to the high-brows. It is not for the masses. In the first table I gave this picture 50 points. Although a 50 point classification is fair for the big cities, I fear that is too high for the smaller places; 35 points should, in my opinion, be fairer.

"RAMONA," with Dolores Del Rio; United Artists: This picture showed good strength in the first few weeks.

The first four weeks it averaged \$37,000. The second four weeks it declined, no doubt because of the warm weather. (\$40,000 a week for a good picture at \$2 prices is not extraordinary for the Rivoli Theatre where "Ramona" has been playing, for this theatre has 2,100 seats.) The picture was withdrawn last week. It is a good bet if a fair price is paid for it, even though it is a heavy entertainment. 70 points for the big cities is not too high a classification, although small cities may reduce this classification considerably on account of the depression that now prevails.)

"GAUCHO," with Douglas Fairbanks: I fear that even 50 points is too high for this picture. At the Harris Theatre, this city, it made a very poor showing. It opened big, drawing \$19,000 for the week. But it kept on declining, taking in only \$4,500 the closing week, which was the ninth week of the engagement. It is apparent that the fame of Mr. Fairbanks drew them the first weeks, but could not hold them because of the poor quality of the picture as an entertainment. As said in the review last year, the picture is excellently produced, but the diseased character they use throughout the picture makes it repulsive. They have cut down the scenes where this character appears considerably, but they could not eliminate him entirely because his presence is demanded by the story. I fear that for small towns even 50 points is too much.

"DRUMS OF LOVE," produced by D. W. Griffith; released by United Artists: The box office failure that "Drums of Love" made at the Harris Theatre, this city, where it played last year, can be rivaled only by "Abie's Irish Rose"; only that "Abie's Irish Rose" is a good entertainment, and it will take better in smaller cities, whereas "Drums of Love" is not, and is less suitable in the smaller towns than it is in the big centres. The engagement was to be of six weeks' duration, and the theatre was so rented. But it was withdrawn the fourth week, United Artists paying the rent of the theatre for the full six weeks. The first week, it took in \$8,000; the second, \$6,000; the third, \$4,500; the fourth, \$3,500. If it had been kept on the board for as long a run as other two-dollar pictures were held, I fear that "Drums of Love" would not have taken in even the price for the electricity. The name of Mr. Griffith drew fair crowds first; but it could not hold them, because "Drums of Love" is not a good entertainment even for the highbrows, let alone for the masses. The 25 points have been given as a tribute to Mr. Griffith, and not because the picture, in my opinion, deserves it from the box office point of view. If the name of Mr. Griffith means anything to your box office, you may pay twenty-five per cent. of what you are going to pay for "Street Angel," which price should, as said, be one-half of what you paid for "Seventh Heaven"; if not, use your own judgment.

"WINGS," Paramount: The following are the receipts of this picture in the first eight weeks:

1st week (ending August 20)	\$16,430.75
2nd week	16,855.33
3rd week	16,658.24
4th week	17,088.24
5th week	16,319.88
6th week	16,311.67
7th week	16,285.94
8th week	16,093.22

The receipts have kept up to capacity up to within the last few weeks, just before the warm weather set in. But they have not fallen down to such an extent as to disqualify it from the \$2 picture class. The capacity business for this house is \$15,941.00. The higher receipts may be accounted for, first, by the tax, which has been added to the receipts, and secondly by the standing room tickets that were sold. "Wings" is a genuine two-dollar picture, and may be

(Continued on Last Page)

"The Magnificent Flirt"—with Florence Vidor

(Paramount, June 2; 6,440 ft.; 74 to 92 min.)

A good picture for the high-brows, but it is unlikely that the rank and file will find any enjoyment in it. It is light comedy, with the characters in silk hats and beautiful evening gowns. Miss Vidor, as the heroine, takes the part of a woman who, although past nineteen, still carries on flirtations with men, even though they are of the innocent grade. A French count likes her, but only as a companion; he does not think her good enough for a relative. His nephew loves her daughter and, in order to put an end to the love affair he offers to prove to him that the mother of the girl is not a proper person for a mother-in-law. As per arrangement, the nephew is hidden behind a velvet curtain while the uncle was dining with the heroine. But the heroine cleverly turns the tables on him, with the result that there are two marriages, the one uniting the nephew with the heroine's daughter, and the other, the count with the heroine.

The production end is magnificent. Mr. d'Abbadie d'Arrast directed the picture with great skill. His comedy touches are intelligent. He seems to belong to the school of Ernst Lubitsch, the man that directed "The Marriage Circle," with Adolphe Menjou. Miss Vidor does good work. So does Albert Conti, whose role is somewhat similar to the roles that have been given to Mr. Menjou. Loretta Young is charming as the daughter. Ned Sparks contributes considerable comedy as the bored American millionaire, spending his money in France to have a good time. Matty Kemp, Marietta Millner and others are in the supporting cast. The story was written by the director himself.

"Modern Mothers"—with Helene Chadwick, Douglas Fairbanks, Jr., and Barbara Kent

(Columbia, May 13; 5,540 ft.; 64 to 79 min.)

Just fair. The parts of the heroic characters are not sympathetic. As a result, the spectator's interest is not aroused very strongly. It deals with a mother, who makes fame in Paris as an actress, but, who, when she returns to America, refuses to make her identity known to her daughter, because she felt that she would be a hindrance to her career. The daughter is in love with a young "nobody," who aspires to become a playwright, but her relatives want her to marry the young son of a wealthy family. The daughter refuses to do that. Daughter and mother establish a friendship, the mother telling the daughter to call on her for help anytime she needed it. The daughter sends her sweetheart to her to help him produce one of his plays. The mother in time falls in love with the young man. The daughter visits her mother and finds her and her sweetheart in a passionate embrace. She is shocked. After the young hero is gone, the daughter comes out from behind the curtain and upbraids her mother. The mother, who had not yet disclosed her identity to her daughter, for the first time learns that her daughter was in love with the young man. She determines to sacrifice her own love. When the young man calls again, she tells him that she does not love him. He is shocked, goes back to his sweetheart, and begs her forgiveness. He is forgiven.

The story and scenario are by Peter Milne. Phil Rosen has directed it. Ethel Grey Terry, Alan Roscoe, Gene Stone, George Irvin and others are in the cast.

Note: This is a substitution. See analysis in the issue of June 9.

"Mademoiselle from Armentieres"

(Metro-Gold.-British); June 2; 5,441 ft.; 63 to 77 min.)

A fair program picture; it is still another war picture with considerable love interest and some thrilling scenes of the war fought between the British and German lines. Estelle Brody (heroine), as Mademoiselle, the French barmaid that had fallen in love with the British soldier (John Stuart, hero), is pleasing enough. She arouses sympathy because she accepted the duty imposed upon her by the French Officer to find out if a supposed farmer was not really a German Spy and is discovered by her sweetheart entertaining the Officer in her rooms where the spy is hidden. She is not able to give an explanation and her sweetheart mistrusts her. The scenes where she is shown following her sweetheart's troop re-

mind one of the scene in "The Big Parade," where the heroine had tried to hold on to her lover. The scenes where she is shown slipping onto a big truck and entering the German lines are thrilling, as are those in the trenches where the English troops are almost wiped out to give the French troops a chance to strengthen their weak defenses. Most suspenseful are the scenes in the German quarters, where the heroine and the hero (one of the few survivors) are brought before the Commander, she being accused of being a spy. They are almost suffocated when the place is bombarded but are rescued in time. Explanations clear up the mistrust the hero had for the heroine and they marry.

Alf Goddard as the hero's buddy contributes the comedy. The picture is based on a story by Victor Saville and it was directed by Maurice Elvey.

"The Foreign Legion"—with Norman Kerry, Lewis Stone and June Marlowe

(Univ.-Jewel, Sept. 23; 7,828 ft.; 91 to 111 min.)

Evidently Universal tried to make another "Beau Geste." But it has not succeeded, even though it has made a pretty good picture out of it. As the title indicates, "The Foreign Legion" is a picture that revolves around the French Foreign Legion, which is stationed in Africa, and into which are inducted every nationality's persons that want to drop out of sight either for a while or forever. The main situation in it is the revelation to the commander of the regiment that the soldier whom he had just condemned to death for rebellion is his own son, whom he had not seen since childhood. There are several emotional scenes in that part of the film. Mr. Kerry awakens considerable sympathy as the English officer, who lets himself be thought of as a thief rather than tell the court martial that the thief was the husband of the woman he had loved, and who, thus disgraced, had joined the Foreign Legion to be forgotten. He awakens more sympathy in the part of the film that shows him, as a Legionaire, assuming blame that was not his. Mr. Stone, too, awakens sympathy as the commander of the regiment by his humaneness. Mary Nolan does well in an unsympathetic part; she assumes the role of an unfaithful woman.

The plot has been founded on I. A. R. Wylie's novel, "The Red Mirage." It has been directed by Edward Sloyan well.

"The Cossacks"—with John Gilbert

(Metro-Gold.-Mayer, June 23; 8,600 ft.; 100 to 122 min.)

Whether your customers will like this picture or not will depend on whether they like strong melodramas or not. It is a strong melodrama. How strong it is you may judge from the fact that in one situation the Turks, with whom the Cossacks are shown to have always been at war, blind the hero's father with a red hot iron and nearly do the same thing to the hero. To tender-hearted people this should prove sickening. And yet, if one is to judge from "The Sea Beast," the Warner Bros. picture with John Barrymore, which was produced three years ago, one cannot help coming to the conclusion that there are more people with strong stomachs than there are with weak stomachs; the situation in "The Sea Beast," in which the hero's leg was shown cauterized with a red hot iron, was if anything stronger than the situation referred to in "The Cossacks." The picture is full of action. The story is not very strong, but Mr. Gilbert helps it considerably. There is a love affair, too, between the hero, son of the leader of the Cossacks, and a girl of the tribe. Mr. Gilbert is shown performing some remarkable horsemanship; he does it like a genuine Cossack. Ernest Torrence is very good as the hero's father, leader of the tribe. Mary Alden, David Fuller, and others are in the supporting cast.

The plot has been founded on the novel of the same name, by Leo Tolstoy. It has been directed with skill by George Hill. Mr. Hill has preserved the atmosphere of the novel well.

Note: Metro-Goldwyn-Mayer started out to make "The Cossacks" a two-dollar picture. They imported genuine Cossacks at a great outlay of money. This they did for publicity. That they have not succeeded in making it such a picture may be judged by the fact that they have shown it at the Capitol for the first time, at their regular admission prices, instead of at a legitimate theatre, where they have been in the habit of showing all their pictures that they thought were either genuine two-dollar pictures or "cousins" to them.

"The Michigan Kid"—with Conrad Nagel and Renee Adoree

(Univ.-Jewel, Oct. 21; 6,030 ft.; 70 to 86 min.)

There are several features in this picture that make it attractive as a booking. First, the name of the author, Mr. Rex Beach; secondly, a fight between the hero and the villain, which almost approaches that of "The Spoilers"; thirdly, the forest fire, which endangers the lives of hero and heroine; fourthly, the riding of the rapids through the flaming forest, a feat of extremely dangerous nature. At the Roxy Theatre, where this picture was shown last Sunday for the week, the audiences groaned and exclaimed when the hero, the heroine and the villain, were riding the rapids through flaming timbers. At one point, the noise of the exclamations became a roar; it was at the point where the little canoe with its occupants was seen leaping down the falls. The thrills one gets from the picture are, in fact, almost as piercing as are those in "The Trail of '98." The only shortcoming is Mr. Conrad Nagel, who takes the part of the hero. Mr. Nagel is more of a parlor hero than a hero of frozen Alaska. However hard he tries to appear a "tough guy," he is hardly successful. But the story is so strong that it carries him along, despite his misfitness in the part. An actor like Harry Carey in that part would have strengthened the picture still more. Miss Adoree does not do bad work. At times she is charming. Lloyd Whitlock makes a good villain. Fred Esmelton, Adolph Millar, Maurice Murphy, Virginia Grey, Dick Palm and others are in the cast. Irvin Willat has directed it well.

The story concerns a young boy, whose feelings are so slighted by the father of his playmate, a little girl, that he decides to go away and make himself a fortune. He goes to Alaska. In the years that followed he became a successful owner of a gambling hall, and was known in Alaska as the Michigan Kid. The superintendent of some mines gambles and loses not only his own money but also the payroll of his company. He appeals to the hero for help. The hero learns from him that he was to marry the very same girl he loved when a boy. The superintendent (villain) takes the money the hero gave him and gambles it again. But again he loses it. In desperation he shoots one of the dealers. The wound is only slight. The sheriff arrests him. The hero uses his influence and has the villain freed. He orders him to go to the mines. He (the hero) meets the heroine when the boat lands but he does not disclose his identity to her. He asks her to follow him to the mines, where her finance is supposed to be waiting for her. On the way, a storm overtakes them and they are forced to seek asylum in the mining company's midway house. The villain, feeling restless when they failed to arrive, goes out in the storm and finds them in the midway house. During the night the villain hits the sleeping hero on the head with a club, binds him, and puts him in a closet. As a fire had broken out in the forest, he wakes up the heroine and asks her to follow him. He tells her that the hero had already gone. While in the cabin she becomes aware of the fact that the hero is locked in the closet. She opens the closet and frees him, just as the villain comes back into the house. There is a terrible fight between them, in which the hero comes out the victor. He drags the villain in the boat, and all three ride the rapids to safety through the flaming forest.

"Stormy Waters"—with Eve Southern and Malcolm McGregor

(Tiffany, June 1; 5,735 ft.; 66 to 82 min.)

If your customers can find enjoyment in the doings of a common woman, a shameless creature, a woman who would not hesitate to leave one man to take up another, and who finds enjoyment in making men beat each other up or knife each other for her love, then they would enjoy "Stormy Waters." Otherwise they may be disappointed. The story is decidedly "sexy"; and it makes no "bones" about it, even though the sex situations have been handled with kid gloves. In one situation the young hero is shown entering the supposed-heroine's room and after embracing her, the flame of a candle light is shown in a close-up shooting up and then dying out. The implication is too plain even for children. The situations that show her on the boat, presumably the wife of the young hero, flirting with the sailors and acting in any but a lady-like manner, also are strongly

suggestive. The action unfolds either on board a ship or in ports. Miss Southern portrays the part of the common woman very well. Malcolm McGregor is good, too. Roy Stewart, as the hero's brother, does well. Shirley Palmer is the girl the young hero was engaged to.

The plot has been suggested by Jack London's story, "The Yellow Handkerchief." It has been directed by Edgar Lewis well.

The story is about a young man, engaged to a girl, who becomes infatuated with a common woman. She makes him believe that they had been married the night before. The hero had been so intoxicated that he did not remember anything. And he took her word for it. He takes her on board his brother's ship. When they return home and his sweetheart learns that he gave her up for another woman, she is heart-broken. The supposed wife is tired of the hero and makes ready to run away with a pugilist. The hero's brother finds her packing up and forces her to go to the ship with him. On board the ship she flirts with other men. Finally she tries the hero's brother. He calls her vile. She so resents it, however, that he makes the hero believe that his brother had made advances to her but that she had repulsed him. There is a fight between the brothers, but soon the hero finds out the real nature of the woman that had posed as his wife. He begs forgiveness of his brother and of the girl he loved.

"The Big Killing"—with Wallace Beery and Raymond Hatton

(Paramount, May 19; 5,930 ft.; 68 to 84 min.)

A good hot weather entertainment. It is mostly slapstick work. Nevertheless, it causes laughs. This time Messrs. Beery and Hatton, patent medicine men, find themselves in a feud country, where one clan had hired them to kill the members of the opposite clan. The comedy is caused chiefly by the two hero's misunderstanding of words, taking them to mean one thing when those who uttered them meant them for another thing. For instance, when the head of the clan that had hired them to do the killing told them that their job would be to kill the Beagles, the two heroes thought that "beagles" meant dogs or something similar to dogs. There are thrills, too, caused by shooting. Most of the thrills are caused in the scenes where the two heroes trick the members of the clan that had hired them into the basement of the old shack, while outside men of the other clan started shooting in an effort to kill the two heroes and those that had hired them. There is a love affair, too, between the young son of the leader of the one clan and the daughter of the leader of the other. In the development of the plot, it is shown that an end was put to the feud by the marriage of the boy and the girl, which marriage is brought about by the aid of the two heroes.

Grover Jones wrote the story. F. Richard Jones directed it. Gardner James is the boy; Mary Brian, the girl. Anders Randolph, Paul McAllister, James Mason and others are in the supporting cast.

"The Red Dance"—with Dolores Del Rio and Charles Farrell

(Fox, 1928-29 Release; 9,250 ft.; 107 to 132 min.)

The production of it is first class, well enough, but the story is not such as to arouse the spectator's interest strongly. There is nothing extraordinary about it. It is a Russian story and shows a Russian Grand Duke in love with a girl of the working classes. The only difference in the characterization of the heroine in this picture from the characterization of heroines in other Russian pictures is the fact that in this picture she is educated, being presented as a teacher. Outside of that, it is the regular formula Russian drama. It is not easily believed by the spectator of average intelligence that a proud Russian Grand Duke would marry a girl that had sprung up from the working classes. A mild thrill is caused here and there by the scenes of the Russian revolution. The scenes that show the hero's life in danger hold the spectator in mild suspense. Mr. Farrell does well in a part that does not offer him great opportunities; but his magnetic personality helps a great deal. Miss Del Rio's part, too, is one that lacks much color.

The plot has been founded on a story by Harvey L. Gates and Eleanor Brown; it has been directed well by Raoul Walsh, from a scenario by James Greelman. Ivan Linow, Boris Charsky, Dorothy Revier, Andre Segurola, and Dimitri Alexis are in the supporting cast.

classed along with the other genuine two-dollar pictures, which are: "The Birth of a Nation," "Way Down East," "The Covered Wagon," "The Ten Commandments," "Ben Hur," "The Big Parade," and "What Price Glory." If it were not for the poor business conditions prevailing, it would have been entitled fully to the prices paid for "The Big Parade" or "What Price Glory"; under the circumstances, 150 points in accordance with the first classification, which was based on the figures of "The Big Parade" or "What Price Glory," or 200 points on the later classification, which is based on the prices paid for "Seventh Heaven," is fair. In other words, you should be able to pay as much for "Wings" as you paid for "Seventh Heaven."

"TENDERLOIN," with Dolores Costello and Conrad Nagel; Warner Brothers: The points given to this picture are 25. Such a classification is fair for those that have no Vitaphone installed. Those who have Vitaphone can afford to pay a much higher price. How much higher, I cannot tell. At the Warner Theatre, this city, it fell "flat," despite the Vitaphone. But my information is that throughout the country this picture has eclipsed "The Jazz Singer." I have had an exhibitor friend of mine tell me that "Tenderloin" drew more for him than did "The Jazz Singer." Exhibitors that have no Vitaphone, however, should be very careful in buying pictures that have made a success with the Vitaphone. "The Jazz Singer" fell flat without the Vitaphone, and "Tenderloin" will, in my opinion, fare worse, for the reason that "Tenderloin" is, without the "voice," a mediocre program attraction, whereas "The Jazz Singer" is at least a good picture even without the Vitaphone. The Vitaphone is a new thing, and its real influence dates only from "The Jazz Singer"; therefore it is difficult for one to tell at this time how much its influence should be rated. Exhibitors that have a Vitaphone should be better judges.

"GLORIOUS BETSY," with Dolores Costello and Conrad Nagel; Warner Bros.: As said in the review, "Glorious Betsy" is a very good picture; only that it is a costume play. At the Warner Theatre, this city, it made a better success than "Tenderloin"; but not so that anybody has noticed it. It is difficult, however, to tell how it is going to perform in the interior. For those that have no Vitaphone, a 45 point classification should be more than fair; but those that have Vitaphone have to use their own judgment as to what it is worth to them.

"TRAIL OF '98," Metro-Goldwyn-Mayer superspecial: I fear that the 100 point classification made of this picture is a little too high. Not that the picture is bad, but that there are many things that work against it. For instance, pictures with Alaska as the locale have been done to death; dozens of them have been made from James Oliver Curwood stories. Of course, none of the Curwood story pictures can even approach "The Trail of '98" in magnitude; yet the public has been surfeited with this kind of pictures. I understand that Metro-Goldwyn have abandoned the idea of roadshowing it. It is my belief that big town theatres can play this picture to a profit if they should charge their regular prices of admission; it has been advertised so strongly that I am sure it will draw. Those of exhibitors that are situated West of the Rocky Mountains, in particular, should fare better than those situated East, because the story is closer at home to the people of the West. Small town exhibitors must use their judgment as to what prices they should pay for it. In my opinion, such exhibitors can safely pay a price based on 50 points in comparison with the 100 points of "Street Angel."

"FAZIL," with Charles Farrell; Fox: I made the prediction in the issue of the 9th that "Fazil," which was at that time in its opening week at the Gaiety, would make a success. Well, it did in the opening weeks. I understand that it drew as good as "Street Angel," despite the smaller seating capacity of the Gaiety as compared with that of the Globe; but lately it has fallen off considerably. It was noticed that the majority of those that went to see it were old women and young flappers. The picture is considerably "sexy." For this reason, the classification of 85 per cent. is very fair for the big cities. Small town exhibitors, however, may not be able to afford a price on that basis. Some of them may not even be able to show it unless Fox "prunes" it considerably. In such an event, the "life" will be taken out of it. My suggestion to those who contemplate buying it is either to see it themselves or to wait to see how it took in other cities outside New York City.

"THE LION AND THE MOUSE," Vitaphoned Warner Bros. subject: This picture is good either with or without the Vitaphone. But without the Vitaphone it is worth only about 30 per cent. of what it is with the Vita-

phone. In the opening week, it drew good crowds. But it has declined since, until now its business is only fair. It is my opinion that without the Vitaphone, it should be given forty points. In other words, if you should pay \$100 for "Street Angel" you should pay only \$40 for "The Lion and the Mouse." Those who have Vitaphone have to use their own judgment.

"KING OF KINGS": It is hard for one to judge a religious subject from the box-office point of view. This picture did not draw well in this city; I think that its average for the entire engagement, which was pretty long, was around \$5,000. At this figure it lost considerable money. But I have been informed reliably that it has drawn well on the road. It is my belief that this picture is better for the small towns than it is for the big centres. Exhibitors with a custom consisting chiefly of religious people should do well to book it. It will help them by creating a good will among the religious people, and may go a long way towards lifting some of the prejudice that exists among such people against motion pictures.

Reducing the points to dollars, you should pay for these pictures as follows:

SEVENTH HEAVEN	\$200
STREET ANGEL	100
FOUR SONS	70
SUNRISE	35
MOTHER MACHREE	45
ABIE'S IRISH ROSE	35
UNCLE TOM'S CABIN	70
THE MAN WHO LAUGHS	90
TEMPEST	125
TWO LOVERS (small towns, \$35)	50
RAMONA (small towns, \$60)	70
GAUCHO (small towns, \$35)	50
DRUMS OF LOVE (hardly a small town picture) ..	25
WINGS	200
TENDERLOIN (without Vitaphone)	25
GLORIOUS BETSY (without Vitaphone)	35
TRAIL OF '98 (small towns)	50
FAZIL (not a very good small town picture)	50
LION AND THE MOUSE	40

I have tried to give you as accurate an account of how these pictures have performed at the box office in this city as possible, my desire being to help you without being unjust to the producer. It has been the habit of producers in the past to take flash-light photographs of the crowds on the opening nights waiting to get into the theatre, then reproduce them in the trade papers, thus leading you into believing that such crowds attended all the performances during the entire engagement. If they do not use these methods, today, they at least fill the heads of their field representatives with wild stories as to how much these pictures drew; and the field representatives, naturally taking their word for it, go to you and ask three or four times what these pictures are worth. And often they get it. What I have presented to you are facts, which you may take or reject, just as you see fit. If you want to put your neck to a producer's noose, it is none of my business; when I gave you the figures and tried to be as accurate as it is humanly possible, I did my duty. The rest is up to you.

Of course, your conditions may vary; therefore, you have to adjust the information I have given you to your conditions. If you are "coining" money now, there is no harm in your paying a little more than these figures tell you that you should pay; my chief object is to protect those that are either breaking even or losing money; that is, those that cannot afford to base their film rentals for these pictures on the fantastic figures the producer-distributor representatives present instead of the actual figures. Don't forget that a house may look crowded and yet not have taken in half of the business-capacity money; when the picture does not draw they have a way of "papering" a house that defies detection. That is why I have relied on inside information. Other information is deceptive, just as is the tables of comparative receipts that the film salesman or the distributor executives show you. This is not the time for any one of you to make mistakes. Don't rush! Remember that one of the sales "tricks" is for the salesman to "rush" you before you get a chance to think. That is how you often regret afterwards the price you promised to pay even five minutes before. If they should use such tactics, or if the film salesman should happen to be an orator and uses on you arguments that you cannot offset, just stick by my figures as the maximum you are willing to pay. Tell him that since you went by the information that I gave you in the past and did not regret it, you will be satisfied again to go by the information that I am giving you now; tell him you are sure you will not regret it.

IN TWO SECTIONS—SECTION TWO

HARRISON'S REPORTS

Vol. X

SATURDAY, JULY 7, 1928

No. 27

(Semi-annual Index—First Half of 1928)

Abie's Irish Rose—Paramount	74	Ham and Eggs at the Front—Warner Bros.....	34
Across the Atlantic—Warner Bros.	71	Hangman's House—Fox	82
Across to Singapore—Metro-Goldwyn-Mayer	71	Happiness Ahead—First National	98
Adorable Cheat, The—Chesterfield-Reg.	67	Harold Teen—First National	75
Adventure Mad—Paramount	87	Has Anybody Here Seen Kelly?—Universal-Jewel.....	90
After the Storm—Columbia	75	Haunted Ship, The—Tiffany.....	15
Alex the Great—F. B. O.	43	Hawk's Nest, The—First National	83
A Modern du Barry—U. F. A.	50	Heart of a Follies Girl, The—First National.....	46
Baby Mine—Metro-Goldwyn	7	Hellship Bronson—Gotham-Regional	99
Bare Knees—Gotham-Lumas-Regional	14	Her Summer Hero—F. B. O.....	6
Beau Sabreur—Paramount	15	Her Wild Oat—First National	26
Beyond London Lights—F. B. O.	30	His Tiger Lady—Paramount	91
Beware of Married Men—Warner Bros.....	14	Hit of the Show—F B O.....	103
Big City, The—Metro-Goldwyn	51	Hold 'Em Yale—Pathe-deMille	78
Big Noise, The—First National	58	Home, James—Universal-Jewel	90
Blue Danube, The—Pathe-deMille	59	Honor Bound—Fox	70
Branded Sombbrero, The—Fox	6	Hot Heels—Universal	70
Bringing Up Father—Metro-Goldwyn-Mayer	46	Horseman of the Plains—Fox	71
Broadway Daddies—Columbia	62	House of Scandals—Tiffany-Stahl	78
Buck Privates—Universal-Jewel	23	How to Handle Women—Universal-Jewel.....	99
Burning Daylight—First National	38	Husbands for Rent—Warner Bros.....	2
Buttons—Metro-Goldwyn-Mayer	34		
Canyon of Adventure—First National	58	Ladies of the Mob—Paramount	99
Certain Young Man, A—Metro-Goldwyn	94	Ladies' Night at a Turkish Bath—First National.....	42
Chaser, The—First National	35	Lady Be Good—First National	86
Chicago After Midnight—F. B. O.	27	Lady Raffles—Columbia-Reg.	22
Chicken a la King—Fox	94	Last Command, The—Paramount	19
Chinatown Charlies—First National	50	Latest From Paris, The—Metro-Goldwyn-Mayer.....	35
Chinese Parrot, The—Universal-Jewel	2	Laugh, Clown, Laugh—Metro-Goldwyn	87
Circus Rookies—Metro-Goldwyn-Mayer	79	Legion of the Condemned, The—Paramount.....	26
Circus, The—United Artists	7	Leopard Lady, The—Pathe-DeMille	35
Clothes Make the Woman—Tiffany-Stahl	82	Let 'Er Go, Gallagher—Pathe-deMille	11
Come to My House—Fox.....	11	Lion and the Mouse, The—Warner Bros.....	98
Cohens and the Kellys, The—Universal-Jewel.....	27	Little Shepherd of Kingdom Come—First National.....	55
Coney Island—F. B. O.	2	Little Yellow House, The—F. B. O.	66
Cop, The—Pathe	103	Lonesome—Universal-Jewel	94
Count of Ten, The—Universal	43	Love and Learn—Paramount	7
Crimson City, The—Warner Bros.	66	Love Hungry—Fox	66
Crooks Can't Win—F. B. O.	66	Love Mart, The—First National	2
Crowd, The—Metro-Goldwyn-Mayer	30	Love Me and the World Is Mine—Universal.....	30
Czar Ivan the Terrible—Amkino	51		
Daredevil's Reward, A—Fox	10	Mad Hour, The—First National	46
Dawn—Selwyn-Regional	91	Man in the Rough—F B O.....	87
Desert Bride, The—Columbia	62	Man, Woman and Wife—Universal-Jewel	98
Devil's Skipper, The—Tiffany-Stahl	58	Man Who Laughs, The—Universal	70
Divine Woman, The—Metro-Goldwyn	10	Marry the Girl—Sterling	39
Don't Marry—Fox	87	Matinee Idol—Columbia	54
Doomsday—Paramount	35	Midnight Adventure, A—Rayart	90
Dove, The—United Artists	2	Midnight Madness—Pathe-deMille	63
Drag Net, The—Paramount	86	Mother Machree—Fox	15
Dressed to Kill—Fox, 6,566 ft.....	42		
Drums of Love—Griffith-United Artists	18	Nameless Men—Tiffany-Stahl	47
		News Parade, The—Fox	86
Easy Come, Easy Go—Paramount	75	Night Flyer, The—Pathe deMille	47
End of St. Petersburg, The—Regional	90	Night of Mystery, A—Paramount	62
Enemy, The—Metro-Goldwyn	3	Noose, The—First National	35
Escape, The—Fox	70	No Other Woman—Fox	98
Fangs of the Wild—F. B. O.....	11		
Fazil—Fox	86	On Your Toes—Universal-Jewel	10
Feel My Pulse—Paramount	38		
Finders Keepers—Universal	34	Partners in Crime—Paramount	59
Finnegan's Ball—First Division	7	Patsy, The—Metro-Goldwyn-Mayer	67
Flying Romeos—First National	51	Peaks of Destiny—UFA-Paramount	34
Fools for Luck—Paramount	94	Perfect Crime, The—F B O.....	102
Fortune Hunter, The—Warner Bros.....	7	Perfect Gentleman, A—Pathe	6
Four Sons—Fox, 9,412 ft.....	39	Phantom of the Range—F. B. O.....	22
Freckles—F. B. O.....	14	Pinto Kid, The—F. B. O.....	14
Freedom of the Press—Universal-Jewel	90	Pioneer Scout, The—Paramount	22
Fifty-Fifty Girl—Paramount	79	Play Girl, The—Fox	67
		Port of Missing Girls, The—Brenda-Regional.....	47
Garden of Eden, The—United Artists	51		
Gateway of the Moon, The—Fox.....	22	Race for Life, A—Warner Bros.	18
Gentlemen Prefer Blondes—Paramount	10	Ramona—United Artists	83
Girl in Every Port, A—Fox	31	Red Hair—Paramount	54
Glorious Betsy—Warner Bros.	74	Road to Ruin, The—Regional	59
Good Morning, Judge—Universal-Jewel	55	Rose Marie—Metro-Goldwyn-Mayer	31
Gow—Regional	99	Rush Hour, The—Pathe-deMille	19
Gypsy of the North—Rayart	78		

Sadie Thompson—United Artists	35
Sailors' Wives—First National	11
Satan and the Woman—Excellent-Regional	26
Scarlet Dove, The—Tiffany-Stahl	82
Secret Hour, The—Paramount	42
Sharpshooters—Fox	18
Shepherd of the Hills—First National	6
Ship Comes In, A—Pathe-DeMille	102
Showdown, The—Paramount	34
Silk Legs—Fox	3
Simba—Motion Picture Capitol Corp.	63
Siren, The—Columbia	26
Skinner's Big Idea—F. B. O.	43
Skyscraper—Pathe-DeMille	58
Smart Set, The—Metro-Goldwyn	38
South Sea Love—F. B. O.	27
So This Is Love—Columbia	47
Soft Living—Fox	38
Something Always Happens—Paramount	51
Speedy—Paramount	58
Spoilers of the West—Metro-Goldwyn-Mayer	46
Sporting Age, The—Columbia	55
Sporting Goods—Paramount	30
Square Crooks—Fox, 5,397 ft.	38
Stand and Deliver—Pathe-DeMille	54
Steamboat Bill, Jr.—United Artists	82
Stop That Man—Universal-Jewel	50
Street Angel—Fox	63
Streets of Shanghai—Tiffany	34
Street of Sin, The—Paramount	91
Sunset Legion, The—Paramount	71
Surrender—Universal	39

Tempest—United Artists	83
Tenderloin—Warner Bros.	62
Tenth Avenue—Pathe	102
Terror Mountain—F. B. O.	78
Thanks for the Buggy Ride—Universal-Jewel	14
That Certain Thing—Columbia-Reg.	22
That's My Daddy—Universal	31
Their Hour—Tiffany-Stahl	59
13 Washington Square—Universal-Jewel	18
Thief in the Dark—Fox	79
Three Ring Marriage—First National	102
Three Sinners—Paramount	67
Tillie's Punctured Romance—Paramount	62
Tragedy of Youth, The—Tiffany-Stahl	43
Trail of '98, The—Metro-Goldwyn-Mayer, 11,000 ft.	54
Two Flaming Youths—Paramount	3
Two Lovers—United Artists	75

Under the Black Eagle—Metro-Goldwyn-Mayer	74
Under the Tonto Rim—Paramount	50
Upland Rider, The—First National	87

Vamping Venus—First National	75
------------------------------	----

Wagon Show, The—First National	70
Walking Back—Pathe	95
Warning, The—Columbia-Regional	6
We Americans—Universal	54
West Point—Metro-Goldwyn	3
Wheel of Chance—First National	103
Whip Woman, The—First National	35
Why Sailors Go Wrong—Fox	50
Wickedness Preferred—Metro-Goldwyn-Mayer	31
Wife Savers—Paramount	10
Wife's Relations, The—Columbia	27
Wild West Romance—Fox	90
Wild West Show, The—Universal	71
Woman Wise—Fox	23
Woman's Way, A—Columbia	47
Women Who Dare—Excellent-Regional	79
Yellow Lily—First National	79

FIRST NATIONAL PICTURE EXHIBITION VALUES

546 Shepherd of the Hills—Jan. 1	Special
542 Helen of Troy—Jan. 8	Special
446 French Dressing—Jan. 15	900,000B
459 Sailors' Wives—Jan. 22	800,000B
437 The Noose—Jan. 29	1,300,000B
445 The Whip Woman—Feb. 5	900,000B
426 The Chaser—Feb. 12	1,000,000B
464 The Wagon Show—Feb. 19	700,000B
455 Flying Romeos—Feb. 26	1,100,000B
447 Mad Hour—March 4	900,000B

440 Burning Daylight—March 11	950,000B
434 Heart of a Follies Girl—March 18	1,100,000B
448 The Big Noise—March 25	900,000B
451 Ladies' Night—April 1	1,000,000B
436 Little Shepherd of Kingdom Come—April 8	1,300,000B
461 Chinatown Charlie—April 15	800,000B
468 Canyon of Adventure—April 22	700,000B
444 Harold Teen—April 29	900,000B
449 Lady Be Good—May 6	900,000B
456 Vamping Venus—May 13	1,100,000B
435 The Yellow Lily—May 20	1,100,000B
442 The Hawk's Nest—May 27	950,000B
467 The Upland Rider—June 3	700,000B
460 Three Ring Marriage—June 10	800,000B
438 Wheel of Chance—June 17 (Roulette)	1,300,000B
429 Happiness Ahead—June 24	1,300,000B
466 Code of the Scarlet—July 1	700,000B
539 Good-Bye Kiss—July 8	Special
454 The Head Man—July 15	1,100,000B
458 Heart to Heart—July 22	800,000B
427 Here Comes the Band—July 29	1,000,000B
463 The Wright Idea—Aug. 5	800,000B
543 The Barker—Aug. 12	Special
439 Out of the Ruins—Aug. 19	1,300,000B
430 Oh Kay—Aug. 26	1,300,000B

FEATURE PICTURE RELEASE SCHEDULE

Columbia Features

Ransom—L. Wilson-Ed. Burns	June 7
The Way of the Strong	June 19
Beware of Blondes—M. Moore-D. Revier	July 1
Say It with Sables—F. Bushman-H. Chadwick	July 13
Virgin Lips—O. Borden-J. Boles (Reset)	July 25

Excellent Features

Into No Man's Land	
(formerly You're in the Army Now)	June 15
Making the Varsity—Rex Lease-G. Hulette	July 10
The Speed Classic—Rex Lease-M. Harris	July 25
Power of the Press	Withdrawn
Manhattan Knights	Aug. —

F B O Features

(Please correct your records as to the release date of No. 8209, "Little Mickey Croogan"; it is Dec. 27, 1927, instead of January 30, 1928.)

82016 Crooks Can't Win—Lewis-Hill (Reset)	May 11
8217 Alex the Great—"Skeets" Gallagher-P. Avery	May 13
8236 Man in the Rough—Bob Steele	May 20
82014 The Little Yellow House (Reset)	May 28
8296 Dog Justice—Ranger and N. Martin (Reset)	June 10
8214 Loves of Ricardo—Beban-S. Lee	June 17
8224 Texas Tornado—Tom Tyler-N. Lane	June 24
8246 The Fightin' Redhead—Buzz Barton	July 1
8237 The Trail of Courage—Bob Steele	July 8
8219 Sally of the Scandals—B. Love-A. Forrest	July 15
8247 The Bantam Cowboy—Buzz Barton	Aug. 12
9221 Terror Mountain—Tom Tyler	Aug. 19
9211 The Perfect Crime—C. Brook-I. Rich	Aug. 19
9201 Danger Street—W. Baxter-M. Sleeper	Aug. 26
9232 Lightning Speed—Bob Steele	Aug. 26

Fox Features

Don't Marry—L. Moran-N. Hamilton	June 3
No Other Woman—D. Del Rio-D. Alvarado	June 10
Wild West Romance—Rex Bell	June 10
Chicken a la King—Carroll-Sterling-Meeker	June 17
Fleetwing—B. Norton-D. Janis (Reset)	June 24
Painted Post—Tom Mix (Reset)	July 1
The Farmer's Daughter—M. Beebe-W. Burke (Reset)	July 8
Road House—M. Alba-M. Burke (Reset)	July 22
None But the Brave—Morton-Phipps (Reset)	Aug. 5
Street Angel—Gaynor-Farrell	Aug. 19
The River Pirate—McLaglen-Moran	Aug. 26
Four Sons—Hall-Mann-Collyer	Sept. 3
Fazil—Farrell-Nissen	Sept. 10

Gotham Features

United States Smith—Gribbon-Lee (Reset)	June 1
The Man Higher Up—Bushman-Olmsted (Reset)	July 1
The River Woman—L. Barrymore-J. Logan	July 30
The Head of the Family	July

Metro-Goldwyn-Mayer Features

806	Mlle. from Armentieres—E. Brody-J. Stuart..	June 2
814	Detectives—K. Dane-G. K. Arthur.....	June 9
730	Forbidden Hours—R. Novaro-R. Adoree.....	June 16
842	The Cossacks—J. Gilbert-R. Adoree.....	June 23
810	Telling the World—Wm. Haines-A. Page....	June 30
821	White Shadows—M. Blue-R. Torres....	withdrawn
845	The Adventurer—Tim McCoy-D. Sebastian..	July 14
	No Release	July 21
	No Release	July 28
835	Four Walls—Gilbert-Crawford	Aug. 4
833	War in the Dark—Greta Garbo	Aug. 11
829	Her Cardboard Lover—Davies-Goudal	Aug. 25

Paramount Features

2762	The Drag Net—Bancroft-Brent	May 26
2782	The Street of Sin—E. Jannings-Fay Wray..	May 26
2738	The Magnificent Flirt—F. Vidor	June 2
2734	His Tiger Lady—Menjou-Brent	June 9
2743	Half a Bride—Ralston-Cooper	June 16
2755	The Vanishing Pioneer—Holt-Blaine	June 23
2709	Ladies of the Mob—Bow-Arlen	June 30
2723	The Racket—Meighan-Prevost	June 30
2729	Hot News—B. Daniels-N. Hamilton.....	July 14
2775	Kit Carson—Fred Thomson	July 21
2853	The Wedding March—Von Stroheim-Wray..	Aug. 4
2801	Warning Up—R. Dix-J. Arthur	Aug. 11
2819	Loves of An Actress—P. Negri-N. Asther..	Aug. 11
2874	Forgotten Faces (formerly "White Sin")...	Aug. 18
2804	The First Kiss—Cooper-Wray	Aug. 18
2829	The Sawdust Paradise—E. Ralston-Bosworth.	Aug. 25
2835	Just Married—J. Hall-R. Taylor.....	Aug. 25
2862	Beggars of Life—W. Beery-L. Brooks.....	Sept. 1
2839	The Model From Montmartre—Petrovitch..	Sept. 8
2870	The Water Hole—Holt-Carroll	Sept. 15

Pathe-DeMille

309	Skyscraper—Wm. Boyd	Apr. 9
311	Walking Back—Sue Carol (Reset).....	May 7
333	Hold 'Em Yale—Rod LaRoque (Reset).....	May 14
317	A Ship Comes In (formerly His Country—	April 23)
		June 3

Pathe Westerns

1226	The Law's Lash—Klondike (dog)	May 20
1227	Fangs of Fate—Klondike (dog)	June 24
9631	Saddle Mates—Wally Wales	Aug. 5
9671	The Black Ace—Don Coleman	Sept. 2
9621	Burning Bridges—Harry Carey	Sept. 30

Pathe Features

(1928-29 Season)

9522	Tenth Avenue—Varconi-Schildkraut-Haver.	Aug. 5
9520	The Cop—William Boyd	Aug. 19
9521	The Red Mark	Aug. 26
9544	Man-Made Women—L. Joy-H. B. Warner..	Sept. 9
9512	Love Over Night—Rod La Rocque.....	Sept. 16
9519	Craig's Wife—I. Rich.....	Sept. 23

Rayart Features

	The Branded Man—Chas. Delaney-June Marlowe.	May —
	A Midnight Adventure—C. Landis-E. Murphy..	May —
	The Lightnin' Shot—B. Roosevelt	May —
	The Devil's Tower—B. Roosevelt	June —
	Mystery Valley—B. Roosevelt	July —
	The Divine Sinner—V. Reynolds-E. Hilliard..	July —
	Man From Headquarters—E. Roberts-C. Keefe.	Aug. —
	Sweet Sixteen—Helen Foster-Gertrude Olmsted.	Aug. —

Universal Features

A5711	Buck Privates—L. DePutti-M. McGregor.	June 3
A 356	A Made to Order Hero—Ted Wells.....	June 3
A5720	The Count of Ten—C. Ray-J. Ralston.....	June 17
A5718	The Flyin' Cowboy—Hoot Gibson	July 1
A 357	Quick Triggers—F. Humes.....	July 15
	Greased Lightning—Ted Wells	July 29
A5722	Riding for Fame—Hoot Gibson	Aug. 19
A5730	Uncle Tom's Cabin—J. Lowe-V. Grey....	Sept. 2
A5732	Home, James—L. LaPlante	Sept. 2
A5734	Anybody Here Seen Kelly—T. Moore....	Sept. 9
A5735	The Night Bird—Denny	Sept. 16
A5733	Foreign Legion—L. Stone-N. Kerry.....	Sept. 23

Sterling Features

Burning Up Broadway—H. Costello-R. Frazer..	Jan. 30
Marry the Girl—B. Bedford-Bob Ellis.....	Mar. 1
A Million for Love—M. Carr-J. Dunn-R. Howe..	Apr. 15
Undressed	June 1
It Might Happen to any Girl.....	July 15

Tiffany Features

Clothes Make the Woman—Southern-Pidgeon...	May 1
Ladies of the Nightclub—B. Leonard-R. Cortez..	May 15
Stormy Waters—E. Southern-M. McGregor.....	June 1
Green Grass Widows—W. Hagen	June 10
Prowlers of the Sea—Cortez-Myers (Reset).....	June 20
Lingerie—A. White—M. McGregor (Reset).....	July 1
The Grain of Dust—Cortez-Windsor (Reset).....	July 10
The Albany Night Boat—Olive Borden.....	July 20
Beautiful But Dumb—Patsy Ruth Miller.....	Aug. 1
Domestic Relations—Claire Windsor	Aug. 15

United Artists

Tempest—John Barrymore-C. Horn.....	Aug. 11
Two Lovers—R. Colman-V. Banky.....	August
Hells Angels—B. Lyon-G. Nissen.....	not set
Revenge—D. Del Rio-L. Mason.....	not set
The Woman Disputed—N. Talmadge-G. Roland...	not set
The Battle of the Sexes—J. Hersholt-P. Haver...	not set
The Awakening—V. Banky-W. Byron.....	not set
A Tale of Two Cities.....	Withdrawn
The Rescue—Ronald Colman-Lili Damita.....	Not set
The Love Song (formerly "La Paiva")—Boyd...	Not set

Warner Bros. Features

211	Pay As You Enter—Fazenda-Cook (Reset) ..	May 12
201	Five and Ten Cent Annie—Fazenda (Reset).	May 26

Extended Runs

177	Don Juan—John Barrymore (1927)	Feb. 19
178	The Better 'Ole—Syd Chaplin	Mar. 12
180	The Missing Link—Syd Chaplin	Aug. 7
179	When a Man Loves—Barrymore-Costello....	Aug. 21
184	Old San Francisco—D. Costello.....	Sept. 4
188	The First Auto—Oldfield-Miller	Sept. 18
181	The Fortune Hunter—Syd Chaplin	Nov. 17
182	The Jazz Singer—Al Jolson (1928)	Feb. 4
185	Glorius Betsy—D. Costello	Not set
186	Tenderloin—McAvoy-Barrymore	Not set
183	The Lion and the Mouse—L. Barrymore.....	Not set

RELEASE SCHEDULE FOR COMEDIES**Educational One Reel**

Never Too Late—W. Lupino-Cameo	May 6
Felix the Cat in Arabiantics.....	May 13
Three Tough Onions—M. Collins-Cameo.....	May 20
Felix the Cat in In- and Out-Laws.....	May 27
Crown Me—W. Lupino.....	June 3
Felix the Cat in Outdoor Indore.....	June 10
Sailor Boy—M. Collins-Cameo.....	June 17
Felix the Cat in Futuritzky.....	June 24

Educational Two Reels

Rah Rah Rah—Dorothy Devore.....	June 3
Who's Lying—Davis-Collins-Mermaid.....	June 10
A Homemade Man—Lloyd Hamilton.....	June 17
Hectic Days—Lupino Lane.....	June 17
The Gloom Chaser—Big Boy-Juvenile.....	June 24
Hop Off—Bowers	July 1
Ladies Preferred—Drew-Mermaid	July 8
Blondes Beware—Arthur-Tuxedo	July 15
Listen, Children—Hamilton	July 22
Leaping Luck—Davis-Collins-Mermaid	July 29
Roaming Romeos—Lupino Lane	July 29

F B O—One Reel

Newsflaff	May 14
Newsflaff	May 28
Newsflaff	May 11
Newsflaff 81622	June 25
Newsflaff 81623	July 9
Newsflaff 81624	July 23
Newsflaff 81625	Aug. 6
Newsflaff 81626	Aug. 20

F B O—Two Reels

Mickey in Love—Mickey McGuire.....	June 4
Heavy Infants—Standard	June 11
Come Meal—Karnival	June 11
Almost a Gentleman—Karnival	June 25
Mickey's Triumph—Mickey McGuire	July 2
Standing Pat—Standard	July 9
Mickey's Babies—Mickey McGuire	Aug. 7
Joyful Days—Standard	Aug. 14

Fox—One Reel

Sea Breezes	May 13
Lords of the Back Fence	May 27
Thar She Blows	June 10
The Dude Ranch	June 24
Land of the Storks.....	July 8
Oregon—The Trail's End.....	July 22
The Lofty Andes.....	Aug. 5

Fox—Two Reels

A Knight of Daze—Van Bibber	June 10
A Cow's Husband—Animal	June 24
Daisies Won't Tell—Imperial.....	July 8
His Favorite Wife—Van Bibber.....	July 22
The Elephant's Elbows—Animal	Aug. 5
Her Mother's Back—Imperial.....	Aug. 19

Metro-Goldwyn-Mayer—One Reel

Sanctuary—Oddity	May 5
Golden Fleeces—Oddity	May 19
Tokens of Manhood—Oddity	June 2
Palace of Honey—Oddity	June 16
Sleeping Death—Oddity	June 30
A Happy Omen—Oddity.....	July 14
Nature's Wizardry—Oddity.....	July 28

Metro-Goldwyn-Mayer—Two Reels

Fair and Muddy—Gang	May 5
Crazy House—Gang	June 2
Cleopatra—Events	July 7

Paramount—One Reel

The Patent Medicine Kid—Krazy Kat.....	June 2
Koko's Field Daze—Inkwell Imps	June 9
Stage Coached—Krazy Kat	June 16
Koko Goes Over—Inkwell Imps	June 23
The Rain Dropper—Krazy Kat	June 30
Koko's Catch—Inkwell Imps.....	July 7

NEW YORK RELEASE DATES OF THE DIFFERENT NEWS WEEKLIES

International

52 Even Number	Saturday, June 30
53 Odd Number	Wednesday, July 4
54 Even Number	Saturday, July 7
55 Odd Number	Wednesday, July 11
56 Even Number	Saturday, July 14
57 Odd Number	Wednesday, July 18
58 Even Number	Saturday, July 21
59 Odd Number	Wednesday, July 25
60 Even Number	Saturday, July 28
61 Odd Number	Wednesday, Aug. 1
62 Even Number	Saturday, Aug. 4
63 Odd Number	Wednesday, Aug. 8
64 Even Number	Saturday, Aug. 11

Pathe

55 Odd Number	Saturday, June 30
56 Even Number	Wednesday, July 4
57 Odd Number	Saturday, July 7
58 Even Number	Wednesday, July 11
59 Odd Number	Saturday, July 14
60 Even Number	Wednesday, July 18
61 Odd Number	Saturday, July 21
62 Even Number	Wednesday, July 25
63 Odd Number	Saturday, July 28
64 Even Number	Wednesday, Aug. 1
65 Odd Number	Saturday, Aug. 4
66 Even Number	Wednesday, Aug. 8
67 Odd Number	Saturday, Aug. 11

Fox

80 Even Number	Saturday, June 30
81 Odd Number	Wednesday, July 4
82 Even Number	Saturday, July 7
83 Odd Number	Wednesday, July 11
84 Even Number	Saturday, July 14
85 Odd Number	Wednesday, July 18
86 Even Number	Saturday, July 21
87 Odd Number	Wednesday, July 25
88 Even Number	Saturday, July 28
89 Odd Number	Wednesday, Aug. 1
90 Even Number	Saturday, Aug. 4
91 Odd Number	Wednesday, Aug. 8
92 Even Number	Saturday, Aug. 11

Kinograms

5409 Odd Number	Saturday, June 30
5410 Even Number	Wednesday, July 4
5411 Odd Number	Saturday, July 7
5412 Even Number	Wednesday, July 11
5413 Odd Number	Saturday, July 14
5414 Even Number	Wednesday, July 18
5415 Odd Number	Saturday, July 21
5416 Even Number	Wednesday, July 25
5417 Odd Number	Saturday, July 28
5418 Even Number	Wednesday, Aug. 1
5419 Odd Number	Saturday, Aug. 4
5420 Even Number	Wednesday, Aug. 8
5421 Odd Number	Saturday, Aug. 11

Paramount

97 Odd Number	Saturday, June 30
98 Even Number	Wednesday, July 4
99 Odd Number	Saturday, July 7
100 Even Number	Wednesday, July 11
101 Odd Number	Saturday, July 14
102 Even Number	Wednesday, July 18
103 Odd Number	Saturday, July 21
104 Even Number	Wednesday, July 25
1 Odd Number	Saturday, July 28
2 Even Number	Wednesday, Aug. 1
3 Odd Number	Saturday, Aug. 4
4 Even Number	Wednesday, Aug. 8
5 Odd Number	Saturday, Aug. 11

Metro-Goldwyn-Mayer

92 Even Number	Saturday, June 30
93 Odd Number	Wednesday, July 4
94 Even Number	Saturday, July 7
95 Odd Number	Wednesday, July 11
96 Even Number	Saturday, July 14
97 Odd Number	Wednesday, July 18
98 Even Number	Saturday, July 21
99 Odd Number	Wednesday, July 25
100 Even Number	Saturday, July 28
101 Odd Number	Wednesday, Aug. 1
102 Even Number	Saturday, Aug. 4
103 Odd Number	Wednesday, Aug. 8
104 Even Number	Saturday, Aug. 11

The Companionate Marriage—Krazy Kat.....	July 14
Koko's War Dogs—Inkwell Imps.....	July 21

Paramount—Two Reels

Hold 'Er Cowboy—Vernon	June 2
Say Uncle—Christie-Duffy	June 9
Slippery Heels—Adams	June 16
Alice in Movieland—Par. Novelty.....	June 23
Scrambled Weddings—Herton	June 30
Slick Slickers—Christie.....	July 7
Sea Food—Dooley	July 14
Face Value—Par. Novelty	July 21
No Title—Stars and Authors.....	Aug. 4
Stop Kidding—Vernon	Aug. 11
Dizzy Diver—Dooley	Aug. 18
Hot Scotch—MacDuff	Aug. 25
Skating Home—Chorus Girl	Sept. 1
No Title—Stars and Authors.....	Sept. 8
Vacation Waves—Horton	Sept. 15
The Sock Exchange—Vernon	Sept. 22
Oriental Hugs—Dooley	Sept. 29

Pathe—Two Reels

The Girl From Nowhere—Sennett	Aug. 5
His Unlucky Night—Sennett	Aug. 12
Smith's Restaurant—Smith Family	Aug. 19
The Chicken—Sennett	Aug. 26

Universal—One Reel

The Trickster—Hall-Harold Highbrow.....	June 4
Poor Papa—Oswald Cartoon.....	June 11
The Speed Shiek—Lake Drugstore.....	June 18
Fox Chase—Oswald Cartoon.....	June 25
Her Haunted Heritage—Hall-Highbrow.....	July 2
Tall Timber—Oswald Cartoon.....	July 9

Universal—Two Reels

George's School Daze—Stern Bros.	May 30
Whose Wife—Stern Bros.....	June 6
A Full House—Stern Bros.....	June 13
George Meets George—Stern Bros.....	June 20
Buster Minds the Baby—Stern Bros.....	June 27
Newlyweds False Alarm—Jr. Jewels	July 2
Reel Life—Stern Bros.....	July 4
High-Up—Oswald Cartoon	Aug. 6
King of Shebas—Lake Drugstore.....	Aug. 13
Hot-Dog—Oswald Cartoon	Aug. 20
Hurry-Up Marriage—Hall-Harold Highbrow...	Aug. 27

aug 8th

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions.....	12.00
Canada and Mexico..	12.00
England and New Zealand.....	14.50
Other Foreign Countries.....	16.50
25c. a Copy	

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, JULY 14, 1928

No. 28

MOTION AND SOUND

Under the heading, "TALKING FILMS TRY MEN'S SOULS," the Sunday, July 8, issue of the New York Times prints the following dispatch from Los Angeles:

"It is the movies . . . just now that are all in a lather over the 'talking film' situation. In a recent trip through the manufacturing areas of Hollywood and elsewhere I found many corrugated brows. The manufacturers don't know just now how far to go. They realize that the next year or two will see rapid developments in the 'talkies,' and naturally they hesitate to install expensive equipment which may have to be scrapped before the newness has worn off . . .

"The corrugations in the brows of the scenario writers come from the fact that a new type of story must be devised—something that will bridge the gap between action and talk. The present sound films are interesting because of their novelty, but as pictures they are flops, and the abrupt change of tempo when the words stop and the action resumes is a terrific strain on the credulity of the customers . . .

"Most of all, the performers' brows are lined with worry make-up, because they see their fat contracts slipping away into the hands of actors who can make language behave. The zero hour of the 'beautiful but dumb' is about to strike. Hollywood is filled with pretty little girls who have learned to do exactly what the director tells them to do at the precise moment they are required to do it, and a lot of them never have found out what it is all about beyond that. Now they are to get parts which must be learned letter perfect and then they are to be shoved into mid-stream where the voice of the director must never penetrate and where, if they rock the boat, overboard they go. And that is where most of them are going.

"The beginning of a new era is recognized by all, but no one yet knows what it portends. In the meantime, the whole industry is nervous and inclined to jump whenever any one says 'boo!'"

* * *

In reading every worth-while article on talking pictures; in straining my ear to catch any whisper that might give me the clue as to what is to be the future of the motion picture under this new invention, I have yet to read an article that puts the matter so clearly as does this Times article by Chapin Hall. If he had included the exhibitors, this analysis of the situation would have been complete. Every exhibitor should study and digest it, for Mr. Hall gives the elements that should enable him to determine what is to be his policy for the coming picture season.

Mr. Hall says that the picture producers hesitate to install expensive equipment lest they be compelled to scrap it when the newness is worn off. In other words, to take care of the present demands for pictures synchronized with music and with "voice," the producers are going to adopt provisional methods. So the quality of the product will naturally turn out to be in direct ratio to the quality of the equipment used for its manufacture.

Another important fact Mr. Hall reveals is that the scenario writers will be compelled to devise new stories so as to "bridge the gap between action and talk." My observation so far has been that, where the characters are made to talk, the story value is sacrificed to the dialogue value. The best proof of this is "Lights of New York," which has started its New York engagement at the Strand, this city. The story is one of those wild melodramas that were produced on the stage in the days of the 10-20-30. Without the "voice," it is a pretty

good crook melodrama, suitable for other than first-run down-town theatres, and deserving, perhaps, no higher than program prices. With the Vitaphone, it will naturally draw while the present "craze" lasts, just as have drawn other mediocre pictures so fitted. It is the first film that has the characters talk all the way through.

How wild a melodrama it is, and how unsuitable for high class audiences it would have been without the "voice" may be judged by the fact that on the stage, this drama would have perhaps been laughed off it by intelligent people. In the key-cities, it would have "starved to death." But the novelty of having the screen shadows talk naturally changes the complexion of the thing.

Another important fact Mr. Hall reveals is that the parts must no longer be entrusted to the "beautiful but dumb," but to actors who either have had stage experience or have natural inclination for the new work. How many stage actors are available? And of those that are available, how many are screen box office attractions? It is true that, among the actors of the silent drama, there are many who are highly intelligent. But it was not intelligence that made the screen stars popular; it was youth and beauty, first. Acting ability has, with an exception here and there, as in the case of Emil Jannings, for example, been of secondary consideration. The great demands of the picture theatres, then, must be supplied with pictures that are acted by actors of no box-office value. This, every exhibitor, whether he has installed the new device or not, must take into consideration this year, and no doubt the next.

* * *

Not only the producers and the actors, but also the exhibitors are "up in the air" about the talking pictures. They don't know what to do. No one is in a position to give them the information they want to enable them to judge accurately the value of this new device in proportion to the original cost of the installation, the cost of maintenance, as well as the cost of the new type of film, and to help them determine whether they should install it at once or wait for further developments, and if they should decide to install it what type of instrument to install.

Pictures in which the characters talk all the way through will naturally come into competition with the legitimate drama. But at best they will be but an imitation of the real thing. It does not take much imagination, therefore, to predict that the shadow-speaking drama will never be able to compete with the flesh-and-blood drama. If so, one cannot help coming to the conclusion that the new device ought to confine itself to singing subjects and to comedy acts, as well as to musical accompaniment of films. It is on these branches of entertainment that it should be developed.

Even then, this mechanical music is but a poor imitation of the real thing. Next time you see and hear a screen orchestra play, pay close attention to the bass drum, cymbals and bass violin; you will not hear them. They do not record. The reason for it is the fact that, the bass sounds being of low frequency, haven't the power to overcome the resistance the metallic diaphragm of the microphone offers so that they might register. This resistance, in physics, is called inertia. It is true that the sound is amplified, but the amplification takes place after the vibrations of the voice have set the diaphragm into motion, not before; therefore, the resultant tone quality is nothing but a reproduction of what the diaphragm first "felt." This lack of power affects the quality of the sound. The sound is, in a

(Continued on last page)

"Jazz Mad"—with Jean Hersholt*(Universal-Jewel, Sept. 30; 6,032 ft.; 70 to 86 min.)*

Everything about this picture is good except the title. While it is not a misnomer, yet it leads one to believe that the action would show young men and women drinking, smoking and dancing to the tunes of a jazz orchestra, when the facts are entirely different. The action really shows a famous German musician, leader of a band in Germany, coming to America expecting to be recognized because of his talent. But he could not find a position and was starving, until a friend of his, by his perseverance and determination, compelled the leader of a philharmonic orchestra to read the piece the hero had written and to undertake to produce it; the hero had found that the people in this country were jazz mad and would not listen to classical music such as he had written.

There is pathos all the way through. One cannot help feeling compassion for the hero, who, although he was a talented musician, could not gain recognition. The scenes that show him in the cabaret attempting to lead a jazz orchestra, and made fun of by the customers, who threw confetti bombs at him, hurting his feelings, arouse the spectator's sympathy for him. There is a love affair, too, between Marion Nixon, who takes the part of the hero's daughter, and George Lewis, who takes the part of the son of a wealthy family. The mother wanted to recognize the hero, because she had always aspired to entertain celebrities, but the father, a more prosaic fellow, held him in contempt, because he thought that all European so-called celebrities were fakers. Mr. Hersholt does excellent work. George Lewis and Marian Nixon are a good pair of youthful lovers. Clarissa Selwynne is the mother of the young lover, and Charles Clary the father.

The plot has been founded on a story by Sven Gade. It has been directed by F. Harmon Weight.

"Lights of New York"—with Helen Costello, Cullen Landis, Gladys Brockwell and others*(Warner-Vitaphoned, Fall Release; 5,267 ft.)*

The only thing that justifies the playing of this picture in first-run Key-City theatres is the fact that the characters are made to talk all the way through as if they were acting on the stage in the flesh. It is the first picture so fitted, and, if one is to judge by the fact that on last Sunday, the hottest day in this city this year, the Strand was packed to the doors when the other theatres, with the exception of the Paramount, where "The Racket" is playing, were actually "starving" for want of customers, they will prove fascinating to the picture-goers for the time being. The story itself is one of the most wildly melodramatic that has been seen in pictures for some time. In one scene, the villain is shown shot and the barber, partner of the hero, in order to hide the murder from the detective, who had called on them, puts the body on the chair and starts shaving him, talking to him while the detective is in the barber shop. This he did to allay suspicion. It is about the best part of the film, or the worst for intelligent people. The dialogue is carried on well all the way through. The players appear as if they know their lines, and speak them effectively. Cullen Landis is surprisingly good in dialogue. Helene Costello is good, too. In fact every player does well.

The plot has been founded on the story by Hugh Herbert and Murray Roth. It deals with two country boys (the hero and his pal), who are induced by two crooks to go to New York to take over their supposed barber shop. They go. But the barber shop turns out to be also a bootlegging joint. The hero becomes acquainted with the heroine, a chorus girl, dancing in a cabaret conducted by the villain, a bootlegger. The villain murders a cop. The police authorities are bent upon finding the murderer. Through his tools the villain learns that a shipment of Century whisky, which the murdered cop was trying to intercept was sought of by the police as a clue. The villain, who had it in his secret safe, sends for the unsuspecting hero and asks him as a favor to store it in his barber shop for a few days, his purpose being to double-cross him. When the detectives call on him he makes an appointment with them at a certain hour in the hero's barber shop, promising to give them the clue they wanted. The heroine overhears the conversation between the villain and the detective and apprises the hero of it over the telephone. The hero dumps the whisky into the river. When the villain calls on the hero a few minutes before the detectives were to arrive, the hero tells him that he knows of his efforts to double-cross him, and threatens to tell the police who the cop's murderer is. The villain pulls out his pistol to kill the hero, but

some one from behind the curtain shoots him before he had a chance to shoot the hero. The hero and his partner put the dead body on the chair, and his partner starts shaving him as the detectives enter. The hero leaves by the back door and goes to the heroine with the object of leaving town with her before he is caught by the detectives. One of the detectives exacts a part confession from the hero's partner and rushes to the heroine's apartment to arrest the hero. He reaches there in time. But just as he was about to handcuff them, a woman enters and tells the detectives that it was she who had killed the villain. She said that she had been his mistress and been abandoned by him.

"Golf Widows"—with Vera Reynolds and Harrison Ford*(Columbia, May 1; 5,592 ft.; 65 to 80 min.)*

Just a fair program picture, if it is that. There is a lone laugh here and there, even though the picture is supposed to be a comedy-drama. A great deal of the action unfolds in Tia Juana, Mexico, just across the border from the United States. The idea of the story is the efforts of two wives to teach their husbands a lesson; the husbands had been devoting most of their time to golfing at the expense of the time their wives were entitled to. The husbands seek their wives all over, and eventually reach Tia Juana. The wives had become acquainted with the hero and another person, a young wealthy man. All four had been having the time of their lives at the race track, when the two husbands arrive. Accidentally the two husbands meet the hero and ask particulars about their wives, giving a description of them. The hero pretends that he had not seen them and tries to avoid the irate husbands, until the hero's sweetheart appears on the scene. Then the hero has to avoid not only the husbands but also his own sweetheart. In the end everything is cleared up. The husbands promise their wives never again to neglect them for golf.

The story is by W. Scott Darling; it was directed by Erle C. Kenton. John Patrick, Sally Rand, Kathleen Key, Vernon Dent, and Will Stanton are in the supporting cast.

Note: This is a substitution. Read facts in the June 16 issue of Harrison's Reports.

"Diamond Handcuffs"—with a Special Cast*(Metro-Goldwyn, May 5; 6,057 ft.; 70 to 86 min.)*

This is not a feature in the real sense of the word, but three episodes with a central idea, combined into one "show." The central idea is the misfortune brought upon the possessors of a certain large diamond, originally stolen from a South Africa diamond mine by a Kaffir (negro), who was afterwards shot and killed for his act; he had stolen it to satisfy the cravings for diamonds of a woman he loved. This incident is told in the first of the three episodes.

The second episode has the diamond in the show window of a Fifth Avenue jewelry store, intriguing many women. The heroine of this story begs her husband to buy it for her; but he tells her he hasn't the money. A friend of hers buys it for her. The husband eventually discovers it and turns his wife out of the house.

The third episode again has the diamond on display in the show window of a big city jewelry store, but the action shifts to the underworld, where a young woman, mistress of a powerful underworld character, asks her "man" to buy the diamond for her. But her "man" is not in the habit of spending so much money for a woman's whim, and he refuses. A young man who has a cigar store in a cabaret is secretly in love with her. Because she has tuberculosis, he draws from the bank every dollar he has, hands it to a doctor friend of his, and has him send for the heroine to give it to her so that she might go West for her health. She takes the money but instead of going West she buys the diamond from a pair of crooks who had held up the jewelry store and stolen it.

This story winds up with the death of the heroine's "man" at the shooting fray that had ensued when the police raided the "joint" with the purpose of rounding up the crooks. The hero then takes the heroine and goes West, where they are married and live in the country happily.

The picture is not for the best family circles, and certainly not for children. It was written by Carey Wilson and Henry C. Vance, and directed by John P. McCarthy. Each episode is acted by a different set of players: Eleanor Boardman, Conrad Nagel, Lawrence Gray, Sam Hardy, Lena Malena, Gwen Lee, John Roche and George Cooper are some of them. The last episode is the best; it is somewhat thrilling.

NOTE: This is a substitution. See facts in issue of June 23.

"The Racket"—with Thomas Meighan*(Paramount, June 30; 7,646 ft.; 88 to 109 min.)*

"The Racket" proves that Mr. Meighan has not lost any of his old acting ability, and that, given a good story, he can draw as big a number of people at the box office as he has always done. Last Sunday afternoon there were lines three deep formed in front of the Paramount Theatre box office reaching around the block, on a day that was the hottest of the year, and when other theatres, excepting the Strand, where "Lights of New York" is playing, were starving to death.

"The Racket" is from the play of Bartlett Cormack; it has followed the play faithfully. Mr. Meighan, as the police captain, is as good as the character in the play. There is suspense throughout, tense at times. The acting of all the players is first class. Louis Wolheim, as the bootleg king, is very good. Marie Prevost is good, too, as the cabaret entertainer, who forces a confession from the bootleg king about the murder of a cop. John Darrow, as the young cub reporter, furnishes most of the comedy. "Skeets" Gallagher, Lee Moran, as the reporters; Sam De Grasse, as the district attorney in the power of the bootleg king; George Stone, as the bootleg king's "kid" brother; Burr McIntosh and others do good work as the supporting players.

The story is that of a Captain of police who is hampered in his exercise of duty. Every time he is on the trail of some murderer, powerful influences are used to save the guilty person from the clutches of the law. At last this influence is used against him and he is transferred to a precinct in the outskirts of the town, where it was thought he would be impotent to do any harm to the bootleg king or to any member of his gang. But a good man could not be kept down; he eventually catches the bootleg king, who had murdered another bootleg king, in a net. While attempting to escape, the bootleg king is shot to death by the assistant district attorney.

"Fleetwing"—with a Special Cast*(Fox, June 24; 4,939 ft.; 57 to 70 min.)*

If your customers like Arabian desert pictures, they should get pretty good enjoyment out of "Fleetwing," which belongs to the program grade. There isn't much human interest in it, but there is action; the characters ride fine horses and with the desert as the background men and horses present an artistic picture. The suspense, too, is fairly strong. The Arabian steed, which in the picture is nick-named Fleetwing, is spirited and gives one pleasure to look at him.

The story deals with the hero, son of an Arab chieftain, who at the risk of his life saves a young woman (heroine) from the hands of his tribe's deadly enemies. On the way, they fall in love with each other. The hero takes the heroine to his father and asks him to permit them to marry. But one of his father's lieutenants (villain), who was jealous of the hero, demands that the spoils be divided in accordance with the desert law, which allowed half to the victor and half to the highest bidder among the other members of the tribe. The father gives the hero the horse and allows the others to bid on the heroine. The villain gets the girl and they are married. But the hero revolts. He steals the bride and runs into the desert, intending to take her to her father. By breaking the law of the desert, the hero puts his life in danger. His father heads some of his warriors and goes in search of the hero. The hero does an exploit that saves the lives of his father and of his warriors. Hero and villain have a combat. The hero comes out victorious. As the villain is slain, the hero and the heroine marry.

Barry Norton is the son of the Sheik; Dorothy Jannings the girl. Lambert Hillyer has directed the picture from a story by himself and by Elizabeth Pickett.

A good filler when there is nothing better in sight.

"Name the Woman"—with Anita Stewart, Huntly Gordon and Gaston Glass*(Columbia, May 25; 5,544 ft.; 64 to 79 min.)*

Not much to it. It is a murder-mystery melodrama, in which the interest is aroused only fairly, and in which there isn't much heart appeal or suspense. The author attempted to create suspense by having the district attorney's wife with the hero in the room where a man had been murdered, and afterward the hero refusing to testify who the masked woman was, preferring to be convicted. But neither the hero nor the heroine is shown doing anything to win the spectator's sympathetic interests, the foundation of suspense when a sympathetic character's life is in danger.

Nor does the district attorney do anything that wins the spectator's sympathy any better than either the hero or the heroine. He, too, is colorless. There is a great deal of kissing done in the picture.

The story is by Erle C. Kenton. It has been directed by Mr. Kenton himself.

"Sally of the Scandals"—with Bessie Love*(F. B. O., July 15; 6,059 ft.; 70 to 86 min.)*

A good program picture. It is the story of a girl that is willing to sacrifice herself by marrying a crook, her object being to secure enough money to have an operation performed on her little crippled sister. But fate intervenes and saves her from the hands of this crook; the police had arrested him and his gang after a hold-up job. The heroine marries a wealthy young man, who had accidentally met her and learned to love her, the heroine reciprocating that sentiment. There is a great deal of heart interest all the way through, and the spectator is held in pretty tense suspense in particular moments. Miss Love does good work, as always; as the sacrificing sister, a chorus girl of good character, she awakens the spectator's warm sympathy. Allan Forrest takes the part of the wealthy young man; Jerry Miley, that of the leader of the gang of crooks. Jack Raymond, Jimmy Phillips, Irene Lambert, Margaret Quimby and others are in the supporting cast. The story is by Enid Hubbard; it was directed by Lynn Shores. The production end is very good.

YOUR RIGHTS IN SUBSTITUTIONS

In the issues of June 16 and 23, I printed my opinion as to what are your rights in questions of substitutions, and how to proceed to protect such rights.

In a desire to find out whether that opinion was absolutely correct or not, I requested Mr. Aaron Sapiro to go over those articles and to pass his opinion on them. Mr. Sapiro, besides being an expert in organizing industries co-operatively, is also a great lawyer. The following is the letter I have received in reply:

"Dear Mr. Harrison:

"I have just read your articles in HARRISON'S REPORTS of June 16 and 23, analyzing the matter of substitutions.

"In my opinion, you are absolutely correct in your statement that the reservation, 'Titles, cast and directors subject to change without notice' will not permit the producer to change any featured member of the cast or any featured director or any featured author of the story or the story itself in a substantial way.

"Nor would the reservation that a picture may be made 'outside' the life of the contract ever apply to a picture made within the life of the contract.

"These reservations should be strictly construed in favor of the exhibitor, because they are terms at variance with a written obligation; and I can conceive of no self-respecting court which would interpret these reservations against the exhibitors to any greater extent than you have definitely admitted in your clear analysis of the provisions.

"I believe that your statement of the law is accurate and precise; and that your legal statement is wholly justified by both trade practice and general commercial equity.

"It is traditional that lawyers should withhold complete approval and find some weak spot somewhere; but I simply have to go back on the profession and admit that your statement stands without a flaw, as far as my examination discloses.

"With personal greetings,
(Signed) "Aaron Sapiro."

* * *

Many exhibitors still ask me what to do when the exchanges try to force them to take substitute pictures. One of them told me that the exchanges know that to fight a case before the arbitration board is expensive for them not only in money but also in time and they, that is, the exchanges, are taking advantage of it by pressing the exhibitors with threats to summon them before the board.

There is, in my opinion, only one remedy in such cases: send the exchangeman's letter to the post office authorities and enter a complaint against him on the grounds that he is using the mails to defraud. You may also complain to the BETTER BUSINESS BUREAU of your town on the grounds that the exchange is using sharp selling methods.

way, "strained." Until this defect is overcome, "talking pictures" will be what they are today. (In the Vitaphone, more sounds of the lower frequency are left unrecorded, because of the additional energy required to make the stylus dig into the record.) A further defect is the use of horns. These make the voice sound hollow, and therefore unnatural. All these defects now are not noticed except by those among the picture-goers that are highly trained musically. But as time goes on the ears of others will become sensitive and will detect them. It is then that the complaints will begin. When pictures first came into being, anything moving fascinated those that saw them. But as time went on their tastes became more and more cultivated, until now the general public knows a good picture from a bad picture just as well as the highly trained critic. It is bound to be so with the talking pictures; though now any subject wherein motion and sound are combined pleases them, as time goes on they will become more discriminating. And the day will soon come when they will know that this new device is but a cheap imitation of the real thing, and they will not want to hear it unless, of course, decided improvements take place in the meantime.

But the public today demands it. And the exhibitor must satisfy their demand.

Both systems, that is, the disc system as well as the film system, have their advantages and their defects. But the defects of these systems will affect worse those of the exhibitors that are far away from the center of distribution than they will those that are in the exchange cities or within riding distance.

The film system will be liable to "gaps" in the talk of the characters as well as in the singing of operatic pieces due to breaks in the film, which breaks you could not repair at once. Breaks in the film will, of course, occur also in the disc system, but in such an event the conversation or singing will not be interrupted. One has to take into consideration also the "static" that will be caused when oil will get on the sound track. (I don't know yet whether the static created by the friction of the film and sprockets, as well as the other mechanical parts, will have an effect on the sound.)

On the other hand, the disc system may cause great inconvenience to the users by the mixing of the records in shipment, an error that cannot help happening now and then, when one has to depend on the human factor. This system will, in my opinion, also require greater knowledge on the part of the operator. But its greatest defect is the hissing sound, caused by the friction of the stylus on the disc record. This hissing is more pronounced than the hissing in the home phonographs, because it is magnified many times just as is magnified the sound. This becomes more pronounced in conversation. In the conversation between Lionel Barrymore and Alec B. Francis, in "The Lion and the Mouse," it is so pronounced that it is annoying.

But the public demands this form of entertainment at present, and, even though the film system is, in my opinion, better than the disc system, Warner Bros. are already serving the exhibitors, whereas the others are still getting ready, or are still experimenting. To manufacture and deliver the instruments requires time. I doubt if other concerns will be able to deliver any of their instruments in mass quantities before the first part of 1929. In the meantime, those who think that they can build up their business with this new device must make an immediate installation of some kind.

The ones that could benefit the most out of this new device are the small exhibitors. These will be able to give their customers big orchestras, played by expert musicians, in place of the tin pan piano or piano and violin, played by poor musicians, that they are giving them now. But the cost of installation is so prohibitive that they will not be able to use it, unless they install some of the other devices, such as Powers' Cinephone, for example, that sell for less than \$2,500. But in such a case, one must make sure that one will be able to use the film of any producer on the same instrument. Otherwise one will have to install every instrument on the market.

To those that are desirous of making an immediate installation of a "talking" device, I may say this: If you think that you can earn the price of the instrument in the next twelve months, go ahead and install one of the instruments that are ready for delivery and from a company that can supply you with service, singing and talking subjects, as well as synchronized features. If you don't think you can earn it, then wait for developments. If you want to keep up-to-date, in a year's time you might be required to scrap the instrument you will

have installed now. And it will be too expensive a process for you unless you earn its cost by that time.

To determine whether you can earn its cost in a year's time, you must figure out whether the increased attendance will enable you to pay for the amortization of the original investment, for the maintenance of it, for the increased cost of the film (features as well as acts) and for the increased cost of operation. Remember that you have to pay real money to an operator of such a device. And if you are in a union town, you may have to hire more than one operator. You might be able to cover the cost easily if you could dispense with your orchestra. But at present you cannot dispense with it, unless you show a program for a full week, for not all pictures are synchronized.

Here is one other factor that you must take into consideration. Perhaps up to this time you have refrained from playing pictures on percentage and "overage." When you install such an instrument, you will be put into a position where you must submit to such terms. In Cleveland, for example, the exhibitors have so far stuck by the resolution their organization passed a few years ago and have refrained from playing pictures on a percentage basis. Let them install such an instrument and you will see how quickly they will capitulate.

In this editorial I have tried to present to you my views as I have formed them as a result of the talks I have had with exhibitors as well as with producers and distributors, and by reasoning. But I cannot take the position of being positive as to what the future holds for this business as a result of this invention. No one has taken a positive stand; for no one can. My sole object was to present you with such facts as will help you to set your own course. The only suggestion that I should like to make to you is not to be hasty. If you should install such an instrument first, your competitor is bound to install a similar instrument if he should see that you are getting all the business. And when he installs it, conditions will not be much better than they are now. So use your head!

A WISE COURSE!

I have been informed by E. E. Sprague, of Goodland, Kansas, that Warner Bros. are sending circulars to small-town exhibitors informing them of the great success "The Jazz Singer" and "Tenderloin" have made at the box office, but they do not indicate plainly that its success is owed to the Vitaphone. Mr. Sprague also makes the following observation:

"In my opinion, the independent exhibitor is in the toughest spot of all in his buying in this season. With all the producers frantic to synchronize their pictures, how can the exhibitor tell whether the box office appeal is in the 'sound' or in the straight black and white silent drama? 'The Jazz Singer' is an example. This picture is very mediocre without the Vitaphone. But Warner Bros. are trying to 'gyp' the exhibitor by what may be taken as misrepresentation in advertising. I have not bought any new product for the coming season and do not intend to do so until I find out what they have to sell, but nearly every salesman tries to hide the fact that over half of these pictures are being made with sound effects."

It seems to me that this season is going to be a repetition of the 1919-20 season, when the selective booking system was to form the foundation of selling pictures. Despite the intentions of the producers, everything remained the same as before in 1919 except the prices. These advanced anywhere from one hundred to one thousand per cent. It looks as if the prices are to advance this year likewise, even for exhibitors that have not installed a "talking" device. For this reason the attitude Mr. Sprague has adopted should be adopted by every exhibitor that wants to survive. Don't make a move unless you know what the effect is going to be. Let the other fellow hold the bag!

A CORRECTION

In the article "1928-29 Two-Dollar 'Hits' and 'Flops,'" printed last week, I put "Ramona" in the two-dollar class. This was an error, for "Ramona" played at the Rivoli Theatre, this city, at the regular prices of admission charged by that theatre, 99c being the top price. If two-dollar top prices were charged for it, perhaps it would not have made the success it is making now.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....\$10.00
U. S. Insular Possessions 12.00
Canada and Mexico.. 12.00
England and New Zealand 14.50
Other Foreign Countries 16.50
25c. a Copy

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, JULY 21, 1928

No. 29

The Attitude of Fox on Substitutions

This office has been informed by exhibitors that the Fox Film Corporation refuses to acknowledge that "The News Parade," which it is delivering for "French Ankles," is a substitution.

Originally the picture was sold merely as "French Ankles." No author or director was given with it. But there was the following description of it: "Madge'll goal them again with this. If you think 'Ankles Preferred' was a wow—wait for this one." Now, this description clearly indicates, as I stated in the analysis of the Fox substitutions, printed in the issue of June 9, that "French Ankles" would, as every exhibitor no doubt understood, be a "leg" picture. The Fox Work Sheet supports that assumption. But what is "The News Parade?" A story of the troubles and tribulations of a Fox camera man; the difficulties he has in getting news material for the Fox News. It certainly takes nerve to tell an exhibitor that "The News Parade" is a better "wow" than "Ankles Preferred."

Fox contends that the reservation as to director, cast and title, printed in the Work Sheets last year, gave them the right to change the title of this picture. Let me make certain things clear about this reservation clause: The right of the producer to change a title is conceded. Also the supporting cast. But when no story or author is given with the title, then the matter differs entirely. In such an event, if the title is indicative of the nature of the theme, it is the "substance" the exhibitor buys; the landmark whereby the buyer can recognize his goods. So when the producer changes that title he changes the substance, and therefore he changes the story. Consequently, the exhibitor is not obligated to accept it. In this case, an additional reason for the exhibitor to reject "The News Parade" is the fact that it is not being delivered with the star it was sold with. Ask any Fox manager if he thinks you would buy a picture with Madge Bellamy, pay a Madge Bellamy price, and then accept one with Sally Phipps! It is disgraceful that the Fox organization would even attempt to make such a claim. It is showing bad faith to the worst degree.

But then this is not the first time that the Fox organization has assumed such an attitude. Look over their Work Sheets of any one season and you will find instances of this kind too numerous to state in detail here. Fox would stick his hand in a bag, grab a title, put it on the Work Sheet, make some general statements about it, statements that cannot be pinned down to any promise, and then, when the time came for him to deliver the picture, he would produce anything he pleased. I wonder how often the Fox executives laughed at your expense!

Why don't you do something? Why don't you complain to the post office authorities, asking them to put an end to this game? Your indifference emboldens the producers; it makes them callous.

Fox Additional Substitutions

"THE FARMER'S DAUGHTER": Fox informs the contract holders that the original title of this picture was "Holiday Lane." If so, then it is a story, star and director substitution and therefore you are not obligated to accept it for the reason that "Holiday Lane" was to be a picture that would be, according to the Work Sheet, "Hitting the High Spots on the Gay White Way—Jazz, Spice, Joy and Life along the 'Wickedest' street in the world," with Earle Foxe, Nancy Nash, and J. Farrell McDonald in the cast, and to be directed by J. G. Blystone; whereas "The Farm-

er's Daughter" is a comedy-drama with a rural background, in which the chief character is a slick confidence man; it was directed by Arthur Rosson, and is acted by Marjorie Beebe, Warren Burke, and Arthur Stone.

"ROADHOUSE": The original title of this one is supposed to have been "None But the Brave." But it seems as if it is another case where you put your money on one shell and found the bean under another. "None But the Brave" was sold with Madge Bellamy and Edmund Lowe, and was to have been founded on the stage success by Brandon Fleming and Bernard Merrivale, to be directed by J. G. Blystone. But "Roadhouse" is from an original story by Philip Hurn, it has been directed by Richard Rosson, and has Maria Alba, Warren Burke, and Lionel Barrymore in the cast. It is, according to the Fox press-sheet, a melodrama of flaming youth, an exposé of "snares in the way of dancing feet." A clear substitution all around.

But the peculiar part about "None But the Brave" is the fact that the Fox organization has already made this picture, or it has just about finished it, and has scheduled it for release August 5. But even then you are not obligated to accept it for the reason that although they sold it to you with Madge Bellamy, they are delivering it with Dorothy Knapp. The important part about it, however, is the fact that the plot has not been founded on the stage play by Brandon Fleming and Bernard Merrivale, but on an original story by James Gruen and Fred Stanley. In either case you are not obligated to accept it.

* * *

Several exhibitors have informed this office that the Fox exchanges refuse to reply to letters that ask definite questions about substitute pictures. In some cases the exchanges refuse to take action even after they threatened the exhibitors with arbitration board proceedings when such exhibitors refuse to give play-dates on pictures under dispute. Look out for that! It is my opinion that the exchanges don't want to take a definite stand now for the reason that if a case were decided against them in one zone, all the contracts of that zone would be affected thereby. They want to "browbeat" as many exhibitors as they can without the risk of arbitration proceedings and then, when they come to a point where the remaining exhibitors cannot be frightened into playing them, to resort to the arbitration board with the hope that something might happen to throw a decision their way.

If the arbitration board of your zone is fair and you feel that you have a chance to get justice, take Fox before the board yourself, immediately. If the board is controlled by the Hays' organization, as is the case in most zones, then take the following steps: Enter a complaint with the post office authorities, with the Department of Justice, with the Federal Trade Commission, with the attorney general of your state, with the district attorney of your city, and with the Better Business Bureau of your city or territory. I am sure that in this manner you will be able to get justice. You should take the same steps not only in the case of Fox but in that of all the other producer-distributors that insist that you accept something you did not buy for something you bought. It is about time that you put an end to this "game."

NOTE: If you want me to inform you if any of the pictures a producer is delivering to you with another title is or is not a substitution, it will be necessary for you to send me the new title, as soon as you are notified by the exchange, as well as the old title. There is no other way for me to get the facts.

"The Actress"—with Norma Shearer*(Metro-Goldwyn-M., April 28; 6,998 ft.; 81 to 99 min.)*

Just fair! The story unfolds in England, and revolves around the grandson (hero) of a nobleman, who falls in love with an actress (heroine), but whose grandfather objected to the match. Because, however, the hero told his grandfather that he loved the heroine and intended to marry her, the grandfather invites the heroine to live with them so that each might find out after a time whether he was still of the same mind. The heroine is uncomfortable in a home where even conversation was disturbing to the serene life of the occupants of the house, until she becomes sick of it all and leaves. The heroine and a friend, member of the company, endure privations because of the shut-down of the show. The hero, who had left his grandfather, hears of her plight and writes to him asking that he aid her. The grandfather calls on the heroine and offers her aid, but pride makes her refuse it. For the first time he sees the real character of the heroine. The friend of the heroine induces the hero's grandfather to produce a play of his so as to give him an opportunity to aid the heroine without making it appear as charity. He does so but is greatly surprised to see his own grandson in the cast. The fine acting of the heroine in an emotional scene that fitted her own circumstances so impress the hero's grandfather that he removes all objections to their marrying.

The plot has been founded on "Trelawney of the Wells," by Sir Arthur Wing Pinero. It was directed by Sidney Franklin. Owen Moore, Lee Moran, Gwen Lee, Roy D'Arcy, Virginia Pearson, William Humphrey and Effie Ellsler are in the cast.

"Half a Bride"—with Esther Ralston*(Paramount, June 23; 6,263 ft.; 72 to 89 min.)*

Just fair. There isn't very much to the story. It is about a young girl, who believed in companionate marriage. She was wooed by a young society man. She makes the proposal to him that they should be tied only by a trial marriage, of six months' duration, at the end of which time they were to be divorced if they found out that they could not get along well. Her father, who did not believe in such bosh, has her kidnapped and taken aboard his yacht, the commander of which was the hero, a young man the heroine despised. They sail in the Pacific. The yacht is wrecked and the two are washed ashore on an uninhabited island, where they are compelled to wear crudely made skin clothes and to eat anything they could catch, fish or game. They are eventually rescued by a boat sent to search for them. The heroine goes back to her world, but she soon finds out how much she cared for the hero and boards the ship on which he was to sail, promising him to be his for life. They marry.

The scenes on the island are pretty passionate, although they are not crude.

The story is by Arthur Stringer; it was adapted by Doris Anderson and Percy Heath, and directed by Gregory LaCava. Gary Cooper is the hero. William Worthington, Freeman Wood, Mary Doran, Guy Oliver and Ray Gallagher are in the supporting cast.

"Warming Up"—with Richard Dix*(Paramount, August 11; 6,509 ft.; 75 to 93 min.)*

Without the "talk," this picture is pretty fair. It is, like every one of the Dix pictures, a comedy drama, both comedy and drama being of the light vein. Most of the laughs are caused by subtitles, being words put in the mouth of Richard Dix, the hero. There is some comedy caused by the situations, too, but not much of it.

The story is that of two ball players, (hero and villain), between whom there is bad blood, because both loved the same girl. The villain hated the "looks" of the hero because the latter was "horning in" and could not stop the heroine from showing a liking for him. The hero, on the other hand, hoped that he would some day become a big baseball star, like his rival, and then put the proposition to the girl. All the while he thought that the girl (heroine) was only a maid in the house; he did not know that she was the daughter of the owner. When calling on the heroine one evening he saw the villain through the window putting a ring

on the heroine's finger and took it for granted that she had accepted the villain's marriage proposal. He goes back disconsolate. He gets from bad to worse as a ball player until on the day the World's Baseball Series started he is disqualified for bad playing. On the last day of the last game he begs the manager of the team to put him on to pitch when their one good pitcher had dislocated his arm. The manager puts him on but his playing did not show an improvement, until the heroine, having been informed that his bad playing is the result of his grief on account of what he thought her promise to marry the villain, makes to the hero a signal indicating that she would be his forever. The hero then brightens up and pitches such a wonderful game that his team win the series.

There isn't much to the plot, but there is enough substance in it to give fairly good satisfaction.

With the "talk," "Warming Up" will do more to drive people away from the theatres than ten honest-to-goodness "rotten" pictures. To begin with, the synchronization is out of "tune" in most places, in that the sound is heard first and the accident happens afterwards. This occurs in the heroine's home, where the hero is caught in the house and hides in the ice box. A bulb is seen falling, but the sound is heard before the bulb had started on its mission to the floor. Later, the sound is heard and afterwards occurs the act of the hero that caused it. But the worst part of the film is in the ball game; the sound is simply maddening—enough to drive one to distraction. It would have been bad enough even if the sound had been recorded at the time the picture was being "shot"; but since the synchronization was done afterwards, it is simply exasperating.

The story was written by Sam Mintz; it was directed by Fred Newmeyer. Mr. Dix does well in the hero's part. Jean Arthur takes the part of the heroine. Claude King, Philo McCollough, Wade Boteler, Billy Kent Schaefer, and others are in the supporting cast.

"Telling the World"—with William Haines*(Metro-Goldwyn-M., June 30; 7,184 ft.; 83 to 102 min.)*

This style of pictures, cut to order for Mr. Haines, have begun to get tiresome. Mr. Haines again is presented as a supreme egotist, who wants the world to think him all-wise, and who feels that no one should deny him what he wants. He meets the heroine, a chorus girl, and becomes fascinated by her beauty. He takes her to her home and stays there all night. When her landlady in the morning tells her to go because she was conducting a "respectable dump," the hero takes the heroine to his rooms. The fact that it is considered improper for a young woman to remain through the night in the same room with a single man did not enter the thoughts of the hero. There is some comedy here and there, and a few thrills. The thrills occur in what is supposed to be China, where the hero went to find the heroine; she had joined a traveling American show when she thought that the hero did not have it in his mind to marry her. There he learns that the heroine had been arrested and was accused of the murder of the governor of the province, the head of the military forces having made the accusation against her to hide the fact that it had been he that had murdered the governor. By jumping on the Chinese guards and entering the wireless room, he forces the operator to send to the American battle fleet a message acquainting the admiral of the plight of the Americans. It is in the scenes that show the American aeroplanes flying over the Chinese and bombing them, and in the later scenes where the sailors are seen charging, that most of the thrills occur.

The screen drama is by Dale Van Every. It was directed well by Sam Wood. Anita Page is the heroine; she is pretty and acts well. Eileen Percy, Frank Currier, Polly Moran, Bert Roach, and William V. Mong are in the cast. It is a newspaper story, in which the hero is shown as having been disowned by his wealthy father, and later obtained a job as a reporter.

It should do for a program entertainment. But exhibitors that avoid sex plays should be careful about this one, for in the scenes that show the heroine in the hero's rooms, it is plainly evident that the hero did not have the best of intentions towards the heroine. In any event, it is not a picture for children.

"Detectives"—with Karl Dane and George K. Arthur

(Metro-Goldwyn-Mayer, June 9; 5,842 ft.; 67 to 83 min.)

Not as good as the other comedies with this pair of actors in the leading parts, but it is a pretty good comedy just the same. Picture-goers of the rank-and-file should receive much enjoyment out of it.

This time Karl Dane is a detective, but he is presented as a simple-minded fellow, on whom George K. Arthur, who is a bell boy in a hotel, plays tricks, making the hotel guests and employees laugh at his expense. Accidentally, the pair detect and cause to be arrested a gang of crooks, who had stolen a valuable pearl necklace from one of the guests of the hotel.

The scenes in the cook's lair, where the two heroes were trapped along with the heroine, are pretty thrilling. Trap doors, sliding panels, disappearing chairs, and the like are made use of in those situations. The scenes that show Mr. Arthur masquerading as a woman cause many laughs.

The plot has been founded on a story by Robert Lord and Chester M. Franklin; it has been directed by Mr. Franklin himself. Marceline Day takes the part of the heroine; she is charming.

"Ladies of the Night Club" with Lee Moran, Barbara Leonard and Ricardo Cortez —

(Tiffany-Stahl, May 15; 6,553 ft.; 76 to 93 min.)

A pleasing little sentimental piece of the life of an actor. It is another "Pagliacci," only that the actor that loves the girl does not die; he simply goes on acting and trying to make people laugh while his heart is breaking. There is considerable mild comedy all the way through, this being contributed by Mr. Moran, who takes the part of a vainglorious actor, a man who thinks that there is no other actor like him in the world, and that the cabaret and theatre patrons should consider it a favor for the fact that he condescends to entertain them. The situation where Mr. Moran is shown being told by the heroine that she was going to marry the wealthy man that wooed her is pathetic. But the most pathetic situation is that which shows the owner of the cabaret, a woman, consoling the hero and urging him not to let the loss of the girl "get" him, the hero bracing up and going on with the act as a result of that encouragement.

The story is that of a team of actors, a man and a woman (hero and heroine), who keep on struggling, but who are unable to "land" a good contract, until the representative of a woman that conducted a cabaret sees them; he likes her and her acting so well that he offers her a "fat" contract. But she is unwilling to accept the fine offer because it did not include her partner, to whom she was grateful for having taught her what she knew. The cabaret owner is compelled to hire also the hero. They make a success at the cabaret. A wealthy young man meets the heroine and falls in love with her. He eventually proposes and she accepts. The hero, who loved the heroine, was ready to propose, too, but when he heard that she gave her promise to the wealthy man, he holds back his confession of love and goes on with the act, carrying his sorrow with him, determined never to let her know how much he cared for her.

The story was written by Grauman Kohn. The picture was directed by George Archainbaud. Barbara Leonard is good as the heroine, and Lee Moran as the hero. The love affair between Ricardo Cortez and Miss Leonard is clean. Douglas Gerard and Cissy Fitzgerald also are in the cast.

"Grip of the Yukon" with Neil Hamilton, Francis X. Bushman and June Marlowe

(Universal-Jewel, November 25; 6,599 ft.; 76 to 94 min.)

The chief trouble with this picture is the fact that it is too evident that the stuff used for the reproduction of snow is an imitation. And a poor imitation at that. There is nothing extraordinary about the story either. It is about two partners, who half frozen in the wilds of Alaska see a cabin and enter it, to be confronted by the gun of a gold-crazy prospector; he had thought that they had followed him to find out where he was getting his gold from. They spend a fearful night, but towards morning they find an opportunity to jump on him with an intention to disarm him, but the demented prospector is killed by the accidental discharge of his own gun. Later the two meet the

heroine, a young girl from San Francisco, daughter of the dead man; she had been sent for by the villain, owner of the dance hall, who planned to use her to rob her father of his mine. The youngest of the partners falls in love with her, and when he sees her in financial difficulties he aids and protects her, particularly when the villain tried to make her work in his hall as a dancer to pay her back debt to him. Soon the partners learn that the heroine is the daughter of the dead man. They want to tell her the truth but fear to do so lest the heroine fail to understand the exact circumstances of her father's death and turn against them. The two partners induce the heroine to live with them in their mine. One day the young partner finds the heroine in his partner's arms and feels so jealous that he has a fight with him. They decide to part. The elder partner goes to the sheriff to reveal the fact of the old man's death and to take the blame himself so as to leave the hero free to marry the heroine; but the sheriff, who had conducted an investigation, had come to the conclusion that the old man's death was the cause of self-defense on the part of him that had shot him.

The plot has been founded on a story by Charles A. Logue. It has been directed by Edward Laemmle, Jr. Otis Harlan, as the doctor, contributes considerable comedy of the mild sort. Burr McIntosh takes the part of the gold-crazy miner.

WHO IS RIGHT? HESS OR ERDMANN?

The following news item appeared in the Daily Review of July 11 under the heading, "NO BLOCK BOOKING INJUNCTION ASKED":

"Gabriel Hess of the Hays organization yesterday corrected the erroneous report that George Schade of the Schade Theatre, Sandusky, Ohio, has obtained any injunctions against 14 distributors in the Cleveland district, or that block booking was involved in the action which was brought, as reported in the trade press yesterday.

"Schade, who was dissatisfied with an arbitration award against him, sought legal action against the distributors when they demanded deposit security to continue further service to the theatre.

"Upon application of the distributors for an adjournment in order to prepare their papers, the court granted an adjournment provided the distributors continued to serve the exhibitor until the issue was settled. . . ."

This is what Garbiel Hess apparently gave out. Now read what George Erdman, General Manager of the Cleveland Local, who is active in the defense of Schade's interests, and who is one of the prime movers in this case, has to say in a letter to this office under date of July 13:

"Dear Pete:

"Just received Daily Review under date of Wednesday, July 11th, this A. M. wherein Hess goes to bat relative to the injunction secured by George Schade. You can see from this, as well as from the top scare line in the Film Daily, issue of Tuesday, July 10th, 'Gets Temporary Block Booking Injunction in Ohio,' that these publications are getting their information from sources that are not responsible. . . ."

"Please let me advise you of just one point which will clear up the real reason for this injunction. United Artists had a claim against George Schade. This claim was filed and at the final hearing by the Joint Board of Arbitration, Mr. Schade did not appear nor was he represented.

"Our Association has taken the stand that the exhibitor members of the Joint Board of Arbitration refuse to hear any case against an exhibitor who is not present at the time of the hearing, or is not represented, as we claim this is not arbitration, that it is a one-sided affair. So when Schade's case came up for final hearing, the exhibitor members refused to hear the case. The distributor then took their own action and no doubt voted unanimously, which is three of the distributors in favor of United Artists.

"Of course, Schade did not recognize this award, which was obtained in this manner and the results you know. So if you care to use this to get the real issue and probably teach the other trade journals to get the correct low-down, go ahead and use it. . . ."

"G. W. ERDMANN."

"P.S. The correct name of the attorney representing Schade is, Joseph N. Ackerman."

PLAYING A DANGEROUS GAME

It seems as if Will H. Hays and a small group of those he represents are determined to drag the moving picture industry to a political fight in a desperate effort to serve their selfish interests, regardless of the consequences to the great majority of those that are engaged in it, who feel that this industry should remain neutral.

What the consequences of this action on the part of Mr. Hays and of the others will be has been plainly told to the industry by Hon. James J. Walker, Mayor of New York City. Speaking in Los Angeles to the publicity men, among whom were Will H. Hays, Joe Schenck and Louis B. Mayer, the Mayor declared that the moving picture industry has been delivered into the hands of one of the major political parties, and that if it did not take care to stay neutral the political party that is "out" will see to it that legislation is resorted to in order to make it suffer. He told his hearers plainly that if the industry should not stay out of the field of partisan politics, the law he put on the statute books in New York State making Sunday opening possible may be repealed. And I am sure that Messrs. Hays, Schenck and Mayer heard him say it and understood plainly the tenor of what he said.

For the last several months the head of the producers' organization has been accused of backing Mr. Hoover. Mr. Hays denied it, of course. He could not do otherwise. But evidently he thinks that the democratic party consists of leaders that cannot do any thinking, or that they do not know what has been going on in his office. Does he think they are ignorant of the fact that Mr. Lockwood, Herbert Hoover's field manager, was on the payroll of his (the Hays') organization for several months prior to the nomination of Mr. Hoover? Does he think that his sending C. C. Pettijohn to the Houston Convention in an effort to put Mr. Woolen of Indiana over as a vice-presidential candidate, thus playing with both political parties, is a secret to the Democrats? Does he think that the Democrats are ignorant of the fact that in the presidential campaign of 1920 C. C. Pettijohn received nearly \$30,000 (\$6,015.33 on August 25; \$6,065.00 September 21; \$14,607.63 August 14; \$1,244.25 October 19; and \$149.53 October 21) from the Republicans for film propaganda work? Isn't this why they did not give Pettijohn a "tumble" at Houston? Does he think that the Democrats have forgotten that Louis B. Mayer, too, told Mr. Hoover a few months ago that the motion picture industry was back of him?

Mr. Hays has, of course, the right to remain a Republican and to express his personal sentiments for Mr. Hoover, if he so felt. But the matter differs when he, because of his position, exceeds his personal privileges and tries to influence an entire industry to think the way he thinks. Let him quit "kidding" himself that his activities are unknown to the Democrats.

This paper would suggest all exhibitors to keep out of partisan politics for their own good. If a candidate for an office, national, state, or local, has done something for the motion picture industry, something that has benefited the exhibitor, vote for him, no matter whether he is a Republican, a Democrat, a Prohibitionist, or even a Socialist. In fact it is your duty to vote for such a candidate so as to show to the other candidates how you stand by your friends. If neither of the candidates has done anything against the industry, then send them a questionnaire and let them commit themselves as to where they stand on questions that affect the motion picture industry. Ask them if they are in favor of them, and vote for the one that is for them. If both are favorable, then give them both a "break." If only one of them is, then throw all your strength back of him and give him the use of your screen. If there is any doubt in your mind as to where a particular candidate stands, always vote for the one that will avoid co-operating with Will Hays, for the more political power Mr. Hays gets the greater will be the depth of your slavery. Don't forget that his arbitration system, which you are unable to shake off, has robbed you of the rights of trial by jury, the cornerstone of your liberties.

We have had enough of Haysism. Let us have no more of it!

BE SURE TO GET A GUARANTEE

On the day "King of Kings" was to start its engagement at the Rivoli Theatre, last week, Western Electric Company threatened to secure an injunction against Publix, owners of the Rivoli, on the ground that they are using a talking machine other than their own, contrary to the terms of the contract with them. The picture has been fitted up with sound effects and music with an R. C. A. Photophone, instead of with a Vitaphone.

But some way or other, the trouble was patched up and Publix was allowed to proceed with their original plans. No doubt the fact that Publix is a big customer has had a great influence in settling this trouble.

This incident ought to help put every exhibitor on his guard. No doubt many instruments will be offered you that may be liable to litigation. So before you pay any money to anybody, make sure that the owner of the device has full rights to the patents, and that, in case any injunction should be served on you to stop you from using the instrument you bought, the seller shall be obligated to step in and undertake your defense, at his own expense.

Keep every letter, including the envelope, you get from those you intend to buy a talking machine from.

BUY YOUR PICTURES WITHOUT THE SOUND

Last Saturday I went to see "Warming Up," with Richard Dix, the first synchronized Paramount picture.

While looking at it and hearing its characters talk, and to the mechanical music that accompanied it, my mind was thinking about the Paramount executives and the other producer-distributors, who have gone "crazy" on this fad. I was wondering if every one in this industry has lost his sense of proportion! They must have, if one is to judge by "Warming Up."

What the Publix and Paramount executives would describe as a "talking" picture is really a picture accompanied by a "jumble" of sounds, and suitable only for lumberjacks, truck drivers, and longshoremen. These are used to noises and don't mind the additional noises created by the talking outfit in "Warming Up."

But mark my word, if they keep on making such pictures, fifty per cent. of the picture-going custom will be driven away from the picture theatres. No person of even fair culture can stand these noises; they are maddening.

My suggestion to you is to be careful this year more than you have ever been. The best plan to follow is this: Buy the pictures without the sound, even if you have a talking machine installed. When the pictures are produced and you get a favorable report on the "sound," then buy the sound rights. Or, make a contract to pay a certain amount of money only if you should use the sound. In this way you will be protected from such "sound" effects as those that accompany "Warming Up."

ASTOR THEATRE BUILDING
1531 Broadway
New York City

July 11, 1928.

Dear Mr. Harrison:

Producer-owned circuits declared that they would not show "Dawn."

When I read your review in HARRISON'S REPORTS, that was enough for me. I booked it for my Mayfair, at Asbury Park, and am pleased to inform you that I played to the largest business I have ever had in that theatre, during the hottest week we've had this season. As a result I booked it for my entire circuit, to play it extra days in each place.

Times are hard and we exhibitors cannot afford to overlook a good bet. So I thought of telling you about it so that you might pass the good news to other exhibitors.

With appreciation for the splendid work you are doing, I am,

Yours very truly,

WALTER REID.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions	12.00
Canada and Mexico..	12.00
England and New Zealand	14.50
Other Foreign Countries	16.50
25c. a Copy	

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, JULY 28, 1928

No. 30

GIVE UNTIL IT HURTS!

The necessity of using all the editorial space in the last two months for the purpose of giving you the facts about the 1928-29 two-dollar "flops" and about the 1927-28 substitutions as well as whatever data I could gather about talking pictures made it impossible for me to say something about an injunction Hon. Thomas D. Garnahan, of the Court of Common Pleas of Allegheny County (Pittsburgh), Pennsylvania, granted to an exhibitor, enjoining the exchanges from using against him that blackjack called "additional securities," which Mr. Will H. Hays has been kind enough to install in this industry at the time he first entered it. A controversy arose between an exhibitor, member of the Pittsburgh exhibitors' organization, and United Artists, as a result of which he was summoned to appear before the board of arbitration, and, when he refused to do so, all the members of the film board of trade sent him a letter demanding the penalty prescribed in the arbitration rules. The exhibitor applied for a temporary injunction, and after the case was heard on June 1, the court continued the injunction until the case is tried in the courts.

The language the court used in granting that injunction created a sensation. "There are some things in these contracts," Judge Garnahan said, "that do not seem to me to be right. . . . The contracts look to me to be very one-sided contracts. The contracts are said to have been made by the representatives of the exhibitors as well as of the distributors, but the contracts themselves are all in the interest of the distributor and the exhibitor does not seem to have very much to say about them. He has nothing to do personally with the making of his own contract, not a word. He can't say whether he will or he will not; these contracts are submitted to him and the business is controlled by an organization and he is told, 'You can sign this contract or refuse to sign it, just as you please.' Now, that is exactly the situation, but if he does not sign it, he does not do any business, and if he does sign it, he will agree to what is in the contract, and almost every provision in that contract is in favor of the distributor, so far as I can understand.

"So far as arbitration is concerned, there is a provision about arbitration, but what has the exhibitor to do with that? He does not have any choice in the selection of the arbitrators at all. The arbitration arrangement or agreement or clause is made by a representative of the exhibitors and distributors and they get together—the national organization provides for that, the national organizations of each—and they arrange these clauses in the contracts. Those provisions in the contract, every one of them, is for the protection of the distributor, as far as I can see. There is a provision that three exhibitors may sit on the arbitration board and three of the distributors and the three distributors are taken right from the very people who compose that board, there are 14 of them; and the other three are taken from a large organization, and the exhibitor has nothing to say about it at all; he cannot open his mouth about it and he has got to accept their decision or accept none . . ."

* * *

It is hardly necessary for me to elaborate on the language Judge Garnahan used except to say that his Honor is unaware of the fact that the national organization, which is supposed to represent the interests of the exhibitors and to protect them whenever they are threatened, is in the hands of Mr. Hays; by political manipu-

lation, he has been able to put it into his pocket. There has been not a single contract committee meeting but has been under the influence of Will H. Hays. In the beginning, he used to invite the members of the exhibitor committee to some high-class club (the Union Club, in preference), and there feed them, give them his benediction, and then send them home happy in the thought that they associated with a former cabinet minister and touched the edge of his mantle. When this "gag" wore off, he abandoned it for a cleverer one; he has been sending his political manipulator, C. C. Pettijohn, to the exhibitor conventions to talk to the boys and to make them think the Hays way. At the Trade Practice Conference his manipulator went so far as to send to the delegates wires urging them to register at a particular hotel. And some of them did, and were no doubt propagandaed to death. Any wonder, then, that a conscientious judge like Hon. Thomas D. Garnahan found the contract one-sided, all for the distributor and nothing for the exhibitor? Any surprise that the new contract is worse than the contract that has just been discarded? And so long as there are exhibitors that are willing to "ride along" with Mr. Hays, the contract will be what it now is—a one-sided affair.

* * *

This is not, however, what I started to tell you: The Pittsburgh exhibitors, whose organization has always stood for the protection of the interests of the independent exhibitors one hundred per cent, has decided to go after the film club of Pittsburgh because of this case. They intend to prosecute the case to the limit and will not rest until they have accomplished their object. I know almost every one of the exhibitors in that zone; know their spirit, and the fighters that they are, and I am not in any doubt as to the outcome. And they have as their standard bearer in this fight a brilliant lawyer, Mr. O. K. Eaton. I have had a talk with Mr. Eaton and I can tell you that he has espoused the cause of the exhibitor as no other man has ever espoused it. He wants to see this thing through. And I know that he will.

But it takes money to a fight a case in the courts and to take it to a higher court if necessary; not for the lawyer's fees but for other expenses. What Mr. Eaton may get out of this case will be but an infinitesimal part of what he deserves. But to gather the necessary data and documents requires the expenditure of a respectable sum of money. And the treasury of the Pittsburgh organization is not in a position to bear all the burden. Individual contributions have been made to it, but more is needed. So you have to come to the rescue. It is the chance of your lifetime to put an end to this unlawful combination that has been oppressing you for years. There has never been a time when your chance to win was as bright as it is now. Give until it hurts. I start the contribution campaign with \$50 of my own, taken from my meagre savings. And if more is needed later on, I promise to give more. Give, then, until it hurts. Make your check payable to Mr. Alec Moore, Treasurer. Mr. Moore is the chairman of the committee for the defense of the exhibitors' constitutional right. Messrs. John M. Alderdice, Nathan Friedberg and Fred J. Herrington are the other members of the committee. Address Mr. Moore in care of M. P. T. O. of W. Pa., Hotel Henry, Pittsburgh, Pa.

Give! Give until it hurts! Let us once for ever put an end to lawlessness!

P. S. HARRISON.

"Prowlers of the Sea"—with Carmel Myers and Ricardo Cortez

(*Tigany-Stahl*—July 20; 5,160 ft.; 60 to 73 min.)

Just a fair picture; it is a conventional story directed and acted according to pattern. The story revolves around the days before the Spanish-American War when Cuban spies were smuggling guns and the troops were more or less demoralized by bribery and liquor. The young captain (hero) put in charge of the coast guards is tricked by the beautiful sister of a gun smuggler into relaxing his vigilance long enough to allow the guns to be landed. But because she had fallen in love with the hero, she saves his life by offering hers instead. There are a few dramatic scenes such as the luring away of the guards by the pretty dance hall girls and the landing by stealth of the cargo; also the discovery by the captain's aide of the situation and his summoning of the remaining troops to capture the rebels. The love story between hero and heroine is interesting in that the girl was forced to carry out her part of the bargain after she had become so fond of the hero. Miss Myers as the seductive vamp is very good. Mr. Cortez is a likable hero. George Fawcett as the grug but kindhearted General is good. Others in the cast are Gino Corrado, Frank Leigh and Frank Lackteen. The story was suggested by Jack London's "The Lancashire Queen" and was directed by John G. Adolph from a scenario by John Francis Natteford.

"Into No Man's Land"—with Tom Santschi and Betty Blythe

(*Excellent-Regional*—June 15; 6,536 ft.; 76 to 93 min.)

A weak story with the action slow and long drawn out makes this just a fair program picture. It is a crook-melodrama with a war background. The story revolves around a gentleman crook, leader of a notorious gang, who is also a millionaire, posing to his daughter and his friends as a man of the social world. His daughter is in love with the district attorney, who suspects who he is. The opening scenes in the jewelry story where the gang commits a daring daylight robbery is thrilling and leads the spectator to expect more action. But the scenes unfolding the love story between the district attorney and the heroine are dull and the action does not liven up until a member of the gang is slain by the leader. The scenes in his office where he decides to give up his profession for the sake of his daughter, which lead to the quarrel between the men, are fairly tense, as is the scene where the murdered man's "moll" tells the district attorney who had committed the murder. Some sympathy is aroused for him when he enlists in the Canadian forces so that his daughter might not discover the kind of man he was; also when he and the district attorney, who had later enlisted in the American army, were both wounded and he permitted the district attorney to be rescued. Again, when disguised, he returns to his daughter's home, after he was thought dead, because he had removed the identification tag from a dead soldier's arm and put his own on, he arouses some sympathy because of his self-sacrifice by which he prevented his daughter from further heartbreak, even though his son-in-law recognized him.

The picture is based on Elsie Werner's and Bennett Southard's story, "You're in the Army Now," from a scenario by Elsie Werner; it was directed by Cliff Wheeler. Tom Santschi in the double role of society millionaire and crook and later the homeless wanderer is quite good. Betty Blythe in her small role of the "moll" is good, too. Jack Daugherty is a pleasing district attorney and lover. Syd Crossley contributed the very little comedy which takes place in the trenches. Josephine Norman is the heroine.

"Gang War"—with Olive Borden, Jack Pickford, Eddie Gribbon and Walter Long

(*F B O*, Nov. 18; footage not available now)

This is a powerful underworld melodrama, with tense suspense and strong thrills. It is what the title implies, a war between two gangs of bootlegger-crooks, in which machine guns are used by the one gang against the other, and in which the ground is strewn with dead bodies after the shootings. In one situation, the havoc created by the machine gun, fired from an automobile, is the worst seen

in pictures. Though a strong underworld play, no bad taste is left, for the reason that a good love story is shown between a young man and a young girl (hero and heroine), not crooks, and a crook is shown sacrificing his life for the love of the girl by deliberately entering the lair of the opposite gang and being killed, this sacrifice being done by him in order to square himself with the heroine, whom he had forced to marry him. This part has been given to Eddie Gribbon. The part of the leader of the other gang has been given to Mr. Long. Both do well in their respective parts. Miss Borden makes a good heroine, and Jack Pickford a good hero. In the scenes where the young hero is shown tortured by the one gang, who sought to force him to say where the leader of the other gang had gone, he awakens the spectator's warm sympathy by his refusal to "squeal." It is, in fact, this behavior of the hero's that is supposed to have made the husband of the heroine, leader of one of the gangs, rush into the other gang's quarters and put himself in the path of their bullets; the young hero had shown him what it meant to love.

In the development of the story hero and heroine are shown as having found happiness in their marriage.

The plot has been founded on a story by James A. Creelman. The direction is by Bert Glennon; it is good. The acting by all the principals is good.

"Just Married"—with a Special Cast

(*Paramount*, July 14; 75 to 93 min.)

A corking good farce-comedy of the bed-room sort. It is old material, well enough, but it has been handled in such a way as to make it refreshing. Most of the action unfolds on board a ship, and takes place in two staterooms, similarity of names furnishing the cause for the complications and misunderstandings between married persons and between two single persons (hero and heroine) that are forced to pass as married so as to avoid scandal.

The scenes that show James Hall (hero) just waking up from bed and finding himself in a stateroom where in the other bed there was a woman (heroine) sleeping, will give cause for many laughs. There are, in fact, laughs all the way through, some of them being of the side-splitting variety. William Austin is at his best. He is a very good comedian even ordinarily. Arthur Hoyt contributes his share of the comedy. James Hall is good as the hero, and Ruth Taylor, as the heroine. Harrison Ford, as the hero's friend; Ivy Harris, as his wife; Lila Lee, as the dress model in the Parisian Shop, who had been jilted by William Austin in preference for Ruth Taylor—all do very good work. Wade Boteler, Mario Carillo, and Maude Turner Gordon are in the cast.

"Green Grass Widows"—with Johnny Harron, Gertrude Olmstead and Walter Hagen

(*Tiffany-Stahl*, June 10; 5,334 ft.; 62 to 76 min.)

The value of this picture lies almost solely in the fact that Walter Hagen, the famous golf star, is in the cast; for the story is inconsequential. It deals with a young college boy, who received from his father a telegram informing him that he had become bankrupt, but that he, in conformity with his dead wife's wishes, would try to find money to keep him in college. The hero, having regard for his father, decides to give up college. But his roommate suggests that he enter the golf tournament to win the prize. This would pay his tuition fee if he should win. They scrape up the entry fee, but they are shocked when they hear that Walter Hagen was to be a competitor; they are sure that he (the hero) would lose. But in the course of a game Walter Hagen learns how much the winning of the tournament would mean to the hero and to the girl whom he loved and whom he wanted to marry that he purposely makes some bad playing, and gives the hero a chance to win the game. There is a mild laugh here and there but the interest is centered chiefly on Mr. Hagen and on golf playing. Picture-goers that are golf enthusiasts or enjoy watching a golf game will, no doubt, find satisfaction in this picture; those that do not, will undoubtedly be bored with it.

The plot has been founded on a story by Wellyn Totman. The direction is by Al Raboch. Hedda Hopper, Ray Hallor, Lincoln Stedman and John St. Polis are in the supporting cast.

"United States Smith"—with Eddie Gribbon and Lila Lee

(Gotham, June 1; 6,600 ft.; 77 to 93 min.)

A good comedy drama. It is full of action and not a little pathos with an interesting love story between two rivals for the same girl, one the Sergeant in the Marines who is the champion prize fighter and the other a Corporal in the Army, also the champion prize fighter of his branch. The hardboiled Sergeant rescues an orphan waif from his companions and after giving him the name of United States Smith, he has him made mascot of the barracks. Because he wanted to give the little fellow a good education he accepts the bribe to throw the fight for \$5,000. But the boy, overhearing the conversation when the men came to pay him the money, rushes to the ringside and persuades his hero to save the honor of the Corps. The sub-titles as well as the situations cause the laughs. The situation where the Sergeant spreads glue on the biscuit which was to go to the Corporal, but which he got himself, is a particularly funny one. The champion fight is realistically fought and although the Marine won, the Corporal won the girl. Eddie Gribbon as the roughneck but very tenderhearted Marine is very good indeed. Micky Bennett as United States Smith does very well. Lila Lee is a charming heroine and Kenneth Harlan is pleasing as the fighting Corporal. It is a good program picture for any house. The picture was directed by Joseph Henabery from the story by Gerald Beaumont.

"Forbidden Hours"—with Ramon Novarro

(Metro-Goldwyn, June 16, 4,987 ft.; 58 to 71 min.)

This is not a bad picture. The trouble with it, however, is the fact that it does not offer anything new. It is a fictitious kingdom story in which a young monarch falls in love with a commoner and, despite the "reasons of state" insists upon marrying her, abdicating his throne rather than give up his love. The story closes with the people's recalling the king along with the girl. The acting by Ramon Novarro is not bad. In fact, in one particular situation it is the best he has ever done. It is in the carriage, after he had, what he thought, discovered the heroine with his cousin in a room in a compromising situation; his love for her was so strong that, despite his doubts about her fidelity, he returns to her. His mopping of his forehead and the restlessness he betrayed; his heart-broken appearance, are done perfectly. But the story is weak just the same. The scenes in the room where the hero had lured the heroine are very passionate. It is plainly evident that the hero had been conquered by his sexual desires, and immediately after sexual thoughts entered his head he relented and begged the forgiveness of the heroine. The effect of such scenes is to kindle the sexual desires of the warm-blooded spectators, but they do not make the picture a better drama. It would have been just as good, and perhaps better, without such a twist.

The plot has been founded on an original story by A. P. Younger. The direction is by Harry Beaumont. Renee Adoree is the heroine, and Roy D'Arcy the villain.

Note: This picture was sold merely as a Novarro production, release No. 730. No story or even author was given. Therefore you have to accept it as not being a substitute. But if it was produced within the life of your contract or prior to your signing the contract and Metro-Goldwyn failed either to assign play-dates or to summon you before the arbitration board, demanding that you play and pay, or pay for it, you are not obligated to accept it. On the other hand, if it was produced after the life of your contract expired, you are compelled to accept it, unless, of course, you took advantage of the provision in the last three lines of the second paragraph in the 18th clause. This provision specifies that, in case there is a three-month delay in the production of a picture, either party has the right to cancel by giving a written notice to the other party within ten days immediately following the three-month delay. Because of the fact that un-made pictures are not, as a rule, dated, one is naturally forced to compute the three-month delay starting from the last day of the one-year life of the contract. The life of the con-

tract begins on the first play-date contained in the second clause, and ends twelve months afterwards. In the absence of a play-date in that clause, such play-date is set in accordance with the provisions in clause nine. In such an event, the three-month delay must be computed twelve months after the play-date set in accordance with this clause's provisions. In other words, if the picture was play-dated in accordance with Clause 9 and set as of, say, May 15, 1927, the life of that contract lasts until May 15, 1928. If the picture was delayed in the making until August 15, 1928, then either party has the right to cancel it by giving a written notice of cancellation to the other between August 15 and 25, but not later than August 25. The next question is for you to find out when "Forbidden Hours" was produced. This you can do by demanding of the arbitration board to subpoena the Metro-Goldwyn-Mayer production records. Remember that an arbitration board has the right, by law, to subpoena any records pertaining to a case before it.

"Hot News"—with Bebe Daniels

(Paramount, July 14; 6,528 ft.; 75 to 93 min.)

A scream! It is, in fact, as good a comedy as Bebe Daniels has ever produced. Of course, without the good acting of the popular Miss Daniels and the skillful direction by Clarence Badger the picture would not have been as effective a comedy medium. Miss Daniels causes laughs all the way through the picture by the way she outwits another news-reel camera man (hero), who was always boasting that he was the most wide-awake news-reel cameraman on two feet. The scenes where the heroine lures the hero into her car, the hero's car having been wrecked, and throws his film away so that when he reaches the scene of the disaster of a Japanese ship finds himself without film when he wants to take pictures, are laugh-provoking. The scenes later on where the hero's assistant brings him a lone can of film, more comedy is provoked; the hero used that precious film to photograph what he thought a real rescue. You can imagine how the audience laughs when it sees the hero discovering to his amazement that the rescued person was none other than the heroine herself, who had "beaten" him to it by entering the stranded ship and taking pictures. The closing scenes are thrilling. They show the hero and heroine abducted by the villain so that they might not give him away for the robbery he had committed; he had stolen a precious jewel from a Maharajah, visiting this country, whom he had beaten on the head with a cane and made unconscious. The heroine had seen the crime; in fact, she had photographed it. The villain had carried the unexposed negative with him, but the right negative had already been taken away by the heroine's assistant and an unexposed negative had been put in its place by him. By aid of the pictures the heroine had taken, the criminal's identity becomes known; and through the wireless directions the hero had sent from the villain's boat, in which he and the heroine were prisoners, a U. S. ship rushes to their rescue.

The story was written by Harlan Thompson and Monte Brice. Neil Hamilton is the hero. Paul Lucas, Alfred Allen, "Spec" O'Donnell and others are in the cast.

CHESTER B. BAHN'S EAGLE EYE

Mr. Chester B. Bahn, motion picture and dramatic critic of the Syracuse Herald, Syracuse, N. Y., seems to possess an eagle eye for detecting advertising in motion pictures. In the issue of last Sunday, after condemning the unnewspaper way by which Warner Bros. introduced the newspaper story in "The Lion and the Mouse," he says:

"Incidentally, I wonder how much Western Union paid for that 'Lion and the Mouse' talking sequence in which Lionel Barrymore demonstrates how to send a telegram over the W. U. wire system

"Will Warner Brothers volunteer the information? Personally I think the advertising would have been cheap at \$25,000."

THE "SOUND" PROVISION IN THE NEW CONTRACT

Many exhibitors that signed contracts early have received a request from the distributors to sign a Rider containing the following provision:

"No license of sound records or right to use sound in connection with any of the photoplays hereby licensed in contract number, approved, 1928, is granted thereunder. If any of the film furnished by the distributor contains such records no right to reproduce sound therefrom is granted hereunder. All rights are reserved by the distributor and will be granted only by further separate written license."

The same provision, slightly modified (the number of the contract and the date on which it was signed are omitted for the reason that such data are contained in the body of the contract) is stamped on all contracts now.

Some exhibitors take the first line of this provision to mean that they have no right to use any kind of sound in connection with a picture, where the provision is stamped on the contract, even if they use such sound independently of the film itself.

While that line may be given such an interpretation, I don't believe that the producer-distributors meant to have it so interpreted. Yet, no one is sure in this business; some of these days a producer may get it into his head to prevent an exhibitor from using a Victor phonograph as a substitute talking machine while his (the producer's) film is shown on the screen. So the best thing for you to do is to ask the distributor to define more clearly this provision.

In connection with this provision, let me say that the exhibitor has no right to use the synchronization of a particular picture, unless he has contracted for the rights. But I have been informed that some exhibitors have closed contracts solely on the promise of the salesmen that half of the pictures he buys will be synchronized. Inasmuch as the contract specifies that verbal promises are not taken into consideration, he will find it difficult to establish his claim to the sound rights.

The best way for exhibitors to protect themselves, in case they want the sound rights along with the film, is for them to make the salesman write it in the contract. Then there can be no misunderstanding.

Let us say this, however: Those that have signed an application for a contract early in the season and have received their copy and have it in their possession, are not obligated to sign any Rider. They can sign it if they want to, but they cannot be forced to sign it, even though they do not intend to install a talking machine.

THE ANACORTES CASE

I am sure you remember that case in Seattle, where Warner Bros., by presenting to the arbitration board new evidence in their case against Waldo Ives, of Anacortes, succeeded in inducing the board to reopen the case it had decided against them and in favor of Mr. Ives. The second case resulted against Mr. Ives. No doubt you remember also that Mr. Ives, helped by Mr. Hone, the secretary of the exhibitors' organization, went to the courts with it. Mr. Hone now informs me that the Judge has decided against Warner Bros. In other words, the court declared that the arbitration board had no right to reopen the case on the ground of new evidence.

THE SYNCHRONIZED "WARMING UP"

"Warming up," the first Paramount picture to be synchronized this year, is drawing big crowds at the Paramount Theatre, this city. All records, for attendance have, in fact, been broken.

Lest any one think it is the quality of the synchronization that is doing the business let me state certain facts to you: In the last two weeks the weather in this city has been very warm. The discomfort is the greater because of the heavy humidity. People seek places where they can feel comfortable. And the Paramount, being artificially cooled, offers a refuge from such discomfort. That is why great crowds are thronging into the theatre.

Another reason is the fact that Paramount-Famous Lasky has announced to the public that this is their first synchronized picture. And there are six million inhabitants in this city, and several more millions within a radius of fifty miles, and five hundred thousand people enter the city daily. Besides, Richard Dix is a popular

star. So it's no wonder that the picture is drawing.

In bringing this matter to your attention again, I think that I am rendering a great service not only to you but also to Paramount; for they are all "hopped" up and may continue synchronizing their pictures that way, to the detriment of their own business as well as of the business of every one of their customers. Let them not remain under the illusion that because their first synchronized picture is drawing they have synchronized it successfully. The public does not know what they are going to see when they go in.

I have no criticism to make of the picture itself; though not as good as some of the other Richard Dix productions, it is, nevertheless, a good entertainment.

Without the "talk," it ought to give pretty good satisfaction. But let us have no more so-called synchronizations of this kind; they cannot "rule the sound waves."

RUNNING TO COVER!

Since I made the suggestion to you to take all substitution complaints to the post office authorities, the exchanges have changed the tone of their letters to exhibitors. Prior to my making that suggestion, they used to send letters insisting that the pictures under dispute were not substitutes, and demanded immediate play-dates, threatening arbitration proceedings. But now, they no longer make threatening statements. Here is a specimen of a letter from an exchangeman to an exhibitor:

"Replying to your letter of July 13th, with reference to pictures, we cannot understand why you are cancelling these pictures. If you refer to your copy of the contract it is clear enough to see that you did not buy anything else but the above. In the event that you could cancel these pictures we could not understand why you should want to get out of playing this class of productions."

Well, I might just as well enlighten all exchangemen who, like this exchangeman, do not quite understand why the exhibitors, like this exhibitor, refuse to play substitute pictures, even though they may be good pictures. This is a right that has been guaranteed to the individual by the laws of this land, which laws specify that no one can force another person to accept something he did not contract for. It makes no difference that the picture is good; their rights are in no wise affected by this fact. They bought a striped suit, and a striped suit they want, even though a plain suit may be of better material, and may fit the buyers better. That is not for the sellers to determine; it is the buyers' right.

No doubt some of the substitution cases will reach the arbitration boards. If so, and if the awards are rendered against you because of your failure to appear, don't forget that your rights to enter a complaint with the post office authorities and with the Department of Justice are in no wise affected.

This paper desires to warn the exhibitor arbitrators not to attempt to hear cases in which clear substitutions are involved. If they do, and they decide against the exhibitor, they may have a hard time explaining their action to the post office authorities or to the Department of Justice in case any one attempted to enforce the award. Don't be a party to a fraud!

WHERE ARE THE BIG BUSINESS "PULLERS?"

I was at the Capitol Theatre last Sunday afternoon, going in at 1:30 and coming out at 3:30.

The bill consisted of the usual acts with the Jazz Orchestra. The picture on the bill was "Telling the World," with William Haines, Metro-Goldwyn-Mayer.

There were fewer than four hundred persons in the orchestra. The house seats over five thousand.

What is the moral of this? When the Metro-Goldwyn-Mayer salesman comes around with his high-pressure sales talk to convince you that Metro-Goldwyn-Mayer pictures draw customers from the sky, ask him to tell you why don't they draw such customers for the Metro-Goldwyn-Mayer and Loew houses?

I have included also the Loew houses because I noticed a screen announcement at the Locw's American to the effect that the price for the Saturday matinees at Locw's New York Theatre has been lowered to 25c. from 40c. that it was. A clear admission that their pictures and the pictures of the other producers are impotent to overcome the bad business depression that now prevails.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions	12.00
Canada and Mexico..	12.00
England and New Zealand	14.50
Other Foreign Countries	16.50
25c. a Copy	

1440 BROADWAY

New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, AUGUST 4, 1928

No. 31

WHEN IS A CONTRACT OUTLAWED?

It seems as if it is not yet clear in the minds of all exhibitors when a contract becomes outlawed by its own terms. The result of this is that the exchangemen, who are thoroughly instructed on this subject, are able to get the best of them. The Hays organization sees to it that the members of the film boards of trade get an interpretation of any clause that might sound ambiguous to them. In this way the exchangemen arbitrators appear at the meetings of the arbitration boards thoroughly equipped. On the other hand the exhibitor arbitrators, who have no one to advise them on such matters, must rely on their own interpretative powers. They thus appear at the arbitration meetings under a disadvantage.

The circumstances under which contracts become outlawed were clearly put to the exhibitors in the articles, "Arbitration and Your Rights Under It," which were printed in these columns about two years ago. Yet lately I have received so many inquiries on the subject that a restatement might not be out of place. I have been prompted to treat of the subject again particularly because of a case in Utah, in which the exhibitor's rights were clear; but in the trial of the case, the board was deadlocked just the same.

This exhibitor signed a contract with Metro-Goldwyn-Mayer on January 4, 1920.

Because a year had elapsed and the exchange neither assigned play-dates nor brought him before the board, the exhibitor refused to play the remaining pictures, claiming that the contract was outlawed because of laches.

Naturally the Metro-Goldwyn-Mayer exchange brought the exhibitor before the board, demanding performance of the contract.

The exhibitor and the exchange were each represented by counsel.

The exhibitor argued through counsel that, because of the agreement between the representatives of the exhibitors and of the producers in May, 1926, to consider a contract outlawed one year after a breach, his contract was outlawed. The Metro-Goldwyn attorney contended that the agreement in question does not apply to this case, because it was made after the exhibitor had signed his contract. He presented a letter from Mr. Gabriel Hess, attorney for the Hays organization, sustaining this point. This attorney contended also that, where there has been a voluntary agreement to submit a dispute to arbitration, the exhibitor-Hays agreement does not apply.

Let us for the present not smile at the contention of the Metro-Goldwyn-Mayer attorney that there was a "voluntary agreement" or that there ever is a voluntary arbitration agreement between unaffiliated exhibitors and distributors and remain serious so as not to divert our attention from the substance of the question:

Contracts for one picture without any play-date are outlawed one year from the day they were signed. In other words, a contract signed on July 1, 1927, for one picture without any play-date became outlawed on July 1, 1928. This position is sustained by almost every zone in the country. I have letters to that effect from the secretaries or presidents of at least ten zones—Philadelphia (where a contract that lay dormant for one year will not be even arbitrated, according to Mr. George Aarons, secretary of M. P. T. O. of Eastern Pennsylvania, Southern New Jersey and Delaware), Michigan, Texas, Minnesota, Oklahoma, Connecticut, Western Pennsylvania, Indianapolis, New York, and Cleveland.

A contract for a group of pictures becomes outlawed one year after the play-date specified in Clause 2. In case there is no play-date anywhere on the contract, then it becomes outlawed one year after the first play-dated or

exhibited picture, under the following further conditions, the result of precedent: If the exchange assigns play-dates to the exhibitor, but fails to take him before the arbitration board, then the contract becomes outlawed one year after the first play-date so assigned. If the exchange fails to assign play-dates or to summon the exhibitor before the board, then it becomes outlawed one year after the first picture was play-dated or exhibited. (The distinction "play-dated or exhibited" is made because a picture may be play-dated on, say, July 15, and not played until July 30; or it may be played prior to the play-date set. In such an event, the life of the contract starts on the play-date, if the exhibition takes place afterwards, or on the exhibition date, if the exhibition takes place prior to the play-date.)

This opinion, which is sustained by New York and by all uninfluenced exhibitor bodies in the United States, holds true where all pictures contained in the contract were made during or prior to the life of the contract. In case one picture, or more pictures, were made after the contract expired, then, if the contract is of the Uniform Contract form, the kind that was in effect prior to May, 1926, the distributor must deliver the unmade pictures, no matter when he makes them, and the exhibitor must accept them, whenever delivered. But if it is of the unreformed Standard Exhibition Contract form, the form that has just been discarded, then either party may cancel the contract for the unmade pictures by giving to the other party a written notice of cancellation within ten days after the delay in production reached three months. How shall such delay be computed has been explained in the foot-note in the review "Forbidden Hours," which was printed last week.

According to this opinion, the contract of the Utah exhibitor discussed in this editorial was outlawed one year after the first picture was play-dated or exhibited.

Notice that according to my informant, Mr. Gabriel Hess, of the Hays organization, stated that the arbitration rules in effect at the time the contract was signed must govern a dispute arising out of such a contract, and not the rules in effect at the time the case is tried. Such an opinion is, indeed, peculiar: Arbitration rules are changed only because they are found in practice inequitable. If, then, we should accept Mr. Hess' opinion as correct, we accept that arbitration is not the settling of disputes amicably under fair and equitable rules. This naturally is contrary to logic, common sense and even to law, even though I am not a lawyer and Hess is, and a great one.

If arbitration is to be what the term implies, then the arbitration rules in effect at the time a case is tried must govern the case.

But here is one question that this paper will ask: Who has given the right to Mr. Hess to instruct arbitrators? About two years ago Mr. Al Steffes, President of M. P. T. O. of the Northwest, informed Mr. Hays that, as a result of interference with the arbitration boards on the part of the Hays organization, his organization withdrew from arbitration. Mr. Steffes accused Mr. Hays of the fact that his organization, by communications addressed to the secretaries and to members of the Film Board of Trade, instructed them how to act, how to decide and how to vote; what they could do and what they could not do in the consideration of cases before them. "With three members of each board paid employees of a few closely knit distributing companies whose problems are identical," Steffes wrote in part, "you will readily understand that it is very difficult even under the best of conditions for them to give an unbiased decision. Such a decision be-

(Continued on last page)

"Loves of an Actress"—with Pola Negri*(Paramount, Aug. 11; 7,159 ft.; 83 to 102 min.)*

If your patrons have retained their admiration for Pola Negri, they should enjoy "The Loves of an Actress," which seems to be an attempt to present Miss Negri in a role that made her famous in America; she takes a similar part to that she took in "Passion," released by First National several years ago. As in "Passion," so in "Loves of an Actress"—she is a beautiful woman with many lovers. But she does not love any of them; only she allows them to spend their money on her. This goes on, of course, until she meets a young man (Nils Asther), and falls madly in love with him.

The picture is a tragedy, in that the heroine kills herself rather than give the hero up, and rather than disgrace him by living and not giving him up. The young hero had been appointed as an attache to the French Embassy, in St. Petersburg, Russia. But one of her lovers, whom she had given up, but who loved her deeply just the same, threatened to publish her letters to him and thus bring disgrace upon the young hero if she had dared marry him. At first the heroine dared him to publish the letters, but after careful reflection she realized what it would mean to the hero and agrees to give him up. When the hero calls on her, she pretends that she does not love him and that she loves the man in whose arms she had been found by the hero. The hero leaves heart-broken. The heroine takes poison during the performance in which she is supposed to take poison and to die. She gives one of the best performances in her career, but dies afterwards.

There are several pathetic situations in the picture. That of her death after the act is the most pathetic of them all. The picture has been produced lavishly. Miss Negri does as good a bit of acting as she has ever done. The story has been written by Ernest Vajda. It is of an early period and unfolds in Paris, France. It has been directed well by Rowland V. Lee.

Picture-goers that love tragedy should enjoy this picture particularly well.

NOTE: It is synchronized, with the disc (Vita-phone) method. The characters are not made to talk; music is the only thing used. In some situations singing is given. The results are good.

"Road House"—with Maria Alba and Lionel Barrymore*(Fox, July 22; 4,991 ft.; 58 to 71 min.)*

As an entertainment, it is mediocre. As a conveyor of a moral, it is poor. It is a picture of the program magnitude, and treats of the hypocrisy of some people, who in the light pose as moralist, but in the dark play poker and drink. In this instance the father is shown giving his son a freedom beyond what was good for him. As a result, the boy gets mixed up with a gang of thieves. He falls in love with a girl, confederate of the gang. His infatuation for the girl is so great that when his father remonstrates, he leave home in anger; and when his girl upbraids him for being a coward, he steals several articles from his father's store just to please her. He eventually takes part in a hold-up, in which one of the confederates shoots and kills the owner of the cabaret. The hold-up took place in the cabaret, at a time when his own father was

playing poker with some friends, of the same caliber. The father happens to see his son immediately after the murder, and when the boy jumps through the window, he jumps, too, overtakes him, takes him in his car, and leads him to the police station, there making him tell to the authorities all he knew about the murder. At the trial, the boy is found guilty of manslaughter, but the judge suspends sentence and castigates the parents for being the really guilty parties. The boy learned his lesson.

The story is by Philip Hurn. It was directed by Richard Rosson.

"Undressed"—with Bryant Washburn*(Sterling-Regional, July 15; 5,309 ft.; 61 to 75 min.)*

Just fair! It is a society drama with the usual scenes of stinginess in a wealthy family because the father refuses to give his wife and daughter allowances. As a result, they have to obtain money by various means. His daughter (heroine) in order to pay a gambling debt, poses for the villain, an artist, who is engaged to her cousin, and because she will not fall in love with him, he changes her portrait to make it appear as if she had posed in the nude. The mild suspense is caused when the fiancée of the villain, discovering the heroine coming from the artist's studio, where she had gone to pay the money her mother had raised to pay off the debt by selling her own clothes, in a fit of jealousy, hits him with a heavy instrument and leaves him dead, as she supposed, and the various people, her aunt and uncle and the heroine's fiancé discover the body; also when the nude portrait is discovered by the hero, who is ready to give up his sweetheart, when the villain, who had in the meantime recovered from the blow, is made to confess his deed by his own fiancée; she gives him up.

The hero is a rather youthful looking chap and is played by Buddy Messinger. David Torrence is the stingy millionaire and Hedda Hopper is the wife. Bryant Washburn is the villain and Virginia Vance is his fiancée. The picture was directed by Phil Rosen. Nothing naughty but the title; but it is only of neighborhood calibre.

"Domestic Troubles"—with Louise Fazenda and Clyde Cook*(Warner Bros., March 24; 5,164 ft.; 60 to 73 min.)*

A mediocre program picture. It is supposed to be a farce comedy, but there is very little comedy in it, and the farce is of inferior grade. Besides, it is vulgar in several situations, in that it has the hero's twin brother, a single man, impersonate the hero, a married man, while the hero is in jail. This sort of action is shown placing the heroine and the twin brother in an embarrassing situation when there is time for them to go to bed. An end is put to their embarrassment by the eventual release of the hero from jail and by his return home.

The plot has been founded on a story by Graham Baker. It has been directed by Ray Enright. Betty Blythe is the married woman. Louise Fazenda is the vampire.

"Skip" it if you can.

NOTE: No facts were given in the work sheet to help one determine whether it is a substitution or not. In the early contracts, not even the title of it was given.

"Lost in the Arctic"

(Fox, release date not yet set; 5,474 ft.; 63 to 78 min.)

This is not a drama; it is a travelogue. It is, in fact, an expedition sent to the arctic to ascertain the fate of eight persons, who were separated from the main expedition, conducted by Vilhjalmur Stefansson in 1913. Mr. Stefansson commanded six ships at that time. One of them, the *Karluk*, was crushed in the ice and eight men set out to reach land. But they disappeared and for ten years they left a doubt as to their fate. This expedition cleared the mystery by discovering their remains and other evidence of their fate on Herald Island, which lies within the arctic zone.

The expedition ship is shown making its start and the picture shows the hardships the explorers went through before they reached Herald Island and found the evidence of the perishing of the lost explorers. On their way to Herald Island they are shown passing near an island inhabited by millions of Cormorants, later another island inhabited by millions of seals, and still later another island inhabited by walrus; it shows them capturing a walrus, and later a polar bear. While the party was on Herald Island and examining the evidence of the perishings of the lost explorers, the water is seen freezing and the ship sounding the danger signal recalling the party so that they might sail away before their ship were frozen in the ice.

The picture on the whole is interesting. Some parts of it are even thrilling. The capture of the huge walrus, for example, is one such situation. The chase and capture of a polar bear is another incident that is thrilling. But the chase and capture of a huge whale is the most thrilling incident of them all.

Cultured picture-goers should enjoy "Lost in the Arctic." Even the picture-goers of the rank and file should enjoy such a picture for a change. But any attempt to show it at increased prices of admission will undoubtedly result in failure. The picture is timely on account of the fate of the Nobile Expedition. This incident could, in fact, be exploited to good advantage. But in order for exhibitors to profit by it, the picture must be released immediately. Delay in the release may prove fatal to the exhibitors as well as to Fox Film Corporation.

"Skirts"—with Sydney Chaplin

(Metro-Goldwyn (British), May 12; 5,813 ft.; 67 to 83 m.)

This picture is a two-reel slapstick comedy stretched out to six reels. There is no story to speak of, it being made up of a series of situations supposed to be funny. Its story is the thread-bare plot dealing with a newlywed husband of two weeks who has the usual mother-in-law trouble. Syd Chaplin is the newlywed husband and Betty Balfour is the chorus girl, who keeps him away from the mission he is supposed to attend while his wife and her mother go away for a visit. There are the usual running in and out of room scenes caused by the complications of a mistaken identity when the hero tried to give the necklace, which the chorus girl had given to him to prevent her prize-fight lover from getting it back after his mother-in-law had found it; he had to give it to his wife, pretending he had bought it for her. In the cabaret where he had gone he gets mixed up with the chorus, climbs balconies, breaks up the party and escapes into his friend's apartment. At home his friend pretends to be a burglar and the prize-fighter, also

disguised as a burglar, attempts to get the necklace. This causes most of the comedy laughs.

The picture brought a few laughs, but it boasts of no original ideas. It was directed by Jess Robbins and Wheeler Dryden from the stage play "A Little Bit of Fluff," by Walter W. Ellis.

Because of Mr. Chaplin it is worth booking.

"Beau Broadway"—with Lew Cody, Sue Carol, and Aileen Pringle

(Metro-Goldwyn, rel. in October; 6,037 ft.)

The main idea of this story is the efforts of the hero, a ladies' man, to convince his ward, willed him by his dead friend, that he is a respectable church-going person, when the girl at the same time was disappointed because of the fact that he showed a total lack of romantic disposition. The story ends with the disclosure that each loved the other, with the result that they marry.

There isn't much to the story, and the spectator's interest is aroused only fairly tense. The picture is supposed to be a comedy-drama, but the laughs are not very numerous. And these, not of the strong sort.

The redeeming feature about it is the good acting of Mr. Cody, who takes the part of the hero, and of Sue Carol, who takes the part of the heroine. Miss Pringle, too, does good work; she takes the part of one of the hero's women, whom the hero had to give up because of the heroine, and who kept after him. In the end she, of course, gives him up because she realized that he loved the heroine, but not until after she had taught the young heroine to wear beautiful clothes, making the hero pay for them along with the beautiful clothes she had selected for herself.

The plot has been founded on a story by F. Hugh Herbert. The picture has been directed by Malcolm St. Clair.

"Making the Varsity"—with Rex Lease

(Excellent-Regional, July 10; 6,400 ft.; 74 to 91 min.)

Just another college story winding up with the hero winning the football game, which his wild young brother tried to throw. Rex Lease is pleasing enough as the captain (hero) of the football team; he had promised his mother on her deathbed to look after his young brother, who had a gift for getting mixed up in all kinds of trouble. The young brother at least is human, whereas the hero is almost too good to be human. The young man, having flirted with the sister of a gambler, who ran a tavern, forges his brother's name to checks in order to meet his debts. And because he had something on him, the gambler induces him to throw the game. The hero learns of this through a fellow-student who dogged the steps of the young brother and tried to keep him out of the game. When another man was needed, the coach put him on and his team started to lose. To keep the knowledge of his brother's treachery from others, the hero kicks his brother below the belt and knocks him out so that he is sent to the hospital where he eventually recovers. The hero kicks the ball successfully and saves the day for his team.

There is a love story between the hero and a co-ed. Arthur Rankin is good as the bad boy. Others in the cast are Gladys Hulette, Florence Dudley and Carl Miller. The picture was directed by Cliff Wheeler from a story by Elsie Werner and Bennett Southard. It should please audiences that like their college pictures.

comes impossible when pressure or criticism is brought to bear upon them from their own ranks. . . ."

To this stinging criticism, Mr. Hays replied partly as follows:

"I am thoroughly sympathetic . . . to the suggestion that every one should keep 'hands off' of our various boards of arbitration. No one should ever suggest to any member of an arbitration board, whether he be an exhibitor or a distributor member, how any case should be decided or what the arbitration board or any individual member should do in any case.

"I note your particular objection has to do with certain letters which you say emanate from this office. I know, of course, that you do not mean to suggest that they come from this office, but rather from the home office of the Film Boards of Trade, as I am sure you know that no letters are sent by this office covering any such subject matters to the Film Boards of Trade, or their secretaries, or to boards of arbitration. . . ."

The letter tries to make a distinction between the Hays organization and the Home Office of the Film Boards of Trade (don't smile), and promises to request his Mr. C. C. Pettijohn to instruct the members of the film boards of trade to vote in accordance with their consciences. And yet he permits Mr. Hess to send a letter giving instructions as to how the arbitration rules should be construed, and the letter is used as an argument in the case. This shows that Mr. Hays has forgotten his promises, and fails to keep faith with the exhibitors.

An arbitration board, as constituted, is a law in itself. The arbitrators are the sole judges of the facts as well as of the law; they are supposed to be guided by equity and justice, and are to use common sense in judging cases. Any restrictions, then, imposed on them by outside parties is unethical and highly improper.

This paper calls the attention of the Arbitration Association of America to this case and requests that an investigation be made to ascertain the facts and to take the necessary measures to prevent a repetition of the scandalous conduct of the Hays organization. HARRISON'S REPORTS will be glad to give the Association all the facts it has in its possession.

THE M. P. T. O. A. CONVENTION

IF any one of the HARRISON'S REPORTS subscribers is planning to attend the M. P. T. O. A. Convention at Toronto, Ontario, with the hope that the national organization this time may do something that will help the independent exhibitor, let him save his money. M. P. T. O. A. is now under the complete domination of Will H. Hays.

If there were any other point more remote than Canada, the Hays henchmen would have ordered the convention held there; but there is not.

Let exhibitors show that M. P. T. O. A. now hasn't the least hold on unaffiliated exhibitors by keeping away from it. It is the only way by which you could protest. HARRISON'S REPORTS directs this appeal particularly to Canadian exhibitors, who, through worthy sentiment, might be inclined to attend that convention.

Let there be not even a single unaffiliated exhibitor present!

If you really want to help your cause effectively, send a check to Mr. Alec Moore, in care of M. P. T. O. of W. Pa., Hotel Henry, Pittsburgh, Pa. Mr. Moore is the Chairman of a committee appointed to defend the exhibitor of that zone in the famous case in which Mr. Eaton, the attorney for the exhibitor, has been able to secure an injunction forbidding the exchanges from demanding of the exhibitor "additional securities" until the case is tried. The demand for such securities, which are the penalties provided for by the rules of arbitration, is unfair and has been used against you with full force and effect. Help the Pittsburgh exhibitors establish law and order in this business. Send your check now.

SOUND PICTURES

The following is a typical letter this paper receives from exhibitors almost daily:

"I like to ask you a few important questions in reference to 'Talking Pictures' equipment for an exhibitor in a town of 8,000 population, with a theatre seating 400. The present business averages \$300 a week.

"(1) Can a small exhibitor such as I am exist in the business unless he installs an instrument to play sound pictures?

"(2) Are the sound pictures at present a novelty, destined to become extinct when the novelty wears out or are they going to stay with us forever?

"(3) If I have to install any of this equipment, what is the best outfit to begin with, that would enable an exhibitor to play Fox, Metro-Goldwyn, Paramount, First National, Universal, and the others, or is there not such an instrument in the market?

"(4) Do you think the public will attend the theatre that shows sound pictures more than they did before?

"(5) How much will the sound pictures cost more than the silent pictures?

"(6) Have you any idea how much they charge for instruments other than Vitaphone, which is too high for me? What would a Movietone or other instruments cost for a small theatre? Is the price standard or whatever they can skin?

"I was at the Stanley Theatre, in Pittsburgh, and saw and heard 'Tenderloin' and didn't think the mechanical music could compare with the sweet organ music. Unless it is improved, I could just as well play a record on Victrola and get better results."

* * *

The questions asked by this letter will be explained thoroughly either in next week's issue or in the issue after next week. I am gathering the material necessary for the complete enlightenment of all exhibitors. In the meantime, if you are contemplating taking a trip to New York City for the purpose of investigating the "Talking Picture" field personally, wait until you read this article; your coming here will not help you understand the situation any better than will be explained in that article. You will then be in a position to know whether a trip is necessary or it will be simply a waste of money.

"BRUTAL BUSINESS"

"One of the large film companies, whose executives ought to know better, has been dragging a feeble old lion all over the country to advertise one of its movie productions. The aged beast is confined in a cage mounted on an auto truck which is topped off with a circus calliope.

"The usual stunts consist of showing the lion on street corners while the calliope bellows to catch the crowds, hauling the poor beast out of the cage and into the City Hall to be greeted by the Mayor, and staging a banquet in one of the hotels where the lion presides at the head table.

"This sort of callous brutality is considered 'good advertising.'

"Boston is scheduled to be visited by the cavalcade of animal torturers on Wednesday. We know Boston people will resent this kind of an exhibition.

"Mayor Nichols is too kind hearted a man to allow a poor old dumb beast to be dragged into City Hall for a little cheap publicity. If it is within the power of Police Commissioner Wilson to prevent the hippodroming of the unfortunate animal through our streets we feel sure he will do it.

"It isn't the danger to the public to be considered in hauling the animal on leash through the streets and into public buildings. The lion's age and feebleness make him harmless and dope fed to him renders him about as belligerent as a sheep. For several weeks he has been paraded around the country in the heat, confined for the most part to a little cage on a hot automobile.

"This particular film company is without shame. It is significant that most of the objectionable sex films have been made by this concern and that the gross caricatures of the Irish race which appeared on the screen were produced by it. Its officials have no sense of decency.

"But it may be possible to prevent public cruelty to dumb animals in Boston's streets and public buildings. At least we can refuse to be parties to it."—*The Boston Post* of July 23.

(EDITOR'S NOTE: As a result of this article the Boston officials were aroused and declared their opposition to the proposed lion reception at the city hall, and even to the parade of the lion. Mayor Nichols stated that such a scheme is brutal business and he will have no part in it. Police Commissioner Wilson stated that, while he could not stop the parade, he would deny Metro-Goldwyn-Mayer a license for the use of the calliope. He stated also that he would shoot the lion if the Metro-Goldwyn-Mayer officials should take it out of the cage.)

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....\$10.00
U. S. Insular Posses-
sions 12.00
Canada and Mexico.. 12.00
England and New
Zealand 14.50
Other Foreign Coun-
tries 16.50
25c. a Copy

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, AUGUST 11, 1928

No. 32

1927-28 SUBSTITUTIONS--ARTICLE No. 4

Fox Substitutions

"NO OTHER WOMAN" (June 10): The original title of this one is supposed to be "The Blonde Panther." But no facts were given in the Work Sheet to help one know who would be the author of the story, or what kind of story it would be. Only the director was given—Frank Borzage. The finished product, however, has been directed by Lou Tellegen. I fear you will have to accept it.

"CHICKEN A LA KING" (June 17): The original title of this one was supposed to be "Atlantic City." No author was given, but the Work Sheet stated that it was to be a "romantic story of broken hearts of the world's playground." In other words, it was to be a picture taken in Atlantic City, which is the world's playground, winter and summer. The finished product, however, has nothing to do with Atlantic City; it is a farce-comedy, with a bedroom farce twist in it. It surely is a substitution.

"FLEETWING" (June 24): Fox claims the printer mixed his lines and put the explanation for "Always Faithful," a dog story, in the space opposite "Fleetwing," a horse story, and the facts about "Fleetwing" in the space opposite "Always Faithful." A mistake such as this is possible. You will be compelled, therefore, to accept "Fleetwing."

"THE FARMER'S DAUGHTER" (July 8): Fox informs the contract holders that the original title of this one was "Holiday Lane." If so, then it is a story, star, and director substitution and therefore you are not obligated to accept it for the reason that "Holiday Lane" was to be a picture that would, according to the Work Sheet, be "hitting the high spots on the Gay White Way—jazz, spice, joy and life along the 'wickedest' street in the world," with Earle Fox, Nancy Nash, and J. Farrell McDonald, to be directed by J. G. Blystone; whereas the finished product ("The Farmer's Daughter") is a comedy-drama with a rural background, in which the chief character is a crook, and which was directed by Arthur Rosson and acted by Marjorie Beebe, Warren Burke, and Arthur Stone. (I haven't seen it yet but I understand that it is "rotten.") You don't have to accept it.

"ROAD HOUSE" (July 22): The original title of this one is supposed to have been "None But the Brave." But "None But the Brave" was sold with Madge Bellamy and Edmund Lowe, and was to have been founded on the stage success by Brandon Fleming and Bernard Merrivale, and was to be directed by J. G. Blystone; whereas "Roadhouse" is from the original story by Philip Hurn, it has been directed by Richard Rosson, and has Maria Alba, Warren Burke, and Lionel Barrymore in the leading parts. A clear substitution of story, stars and director.

"NONE BUT THE BRAVE" (August 5): The Work Sheet describes this picture as follows: "A comedy that made London laugh itself out of the fog. Based on the stage success by Brandon Fleming and Bernard Merrivale, with Madge Bellamy and Edmund Lowe." J. G. Blystone was given as the director. But the finished product has nothing in common with this description; for it has been founded on the story by James Gruen and Fred Stanley, has been directed by Albert Ray, and has Charles Morton, Sally Phipps, and Farrell Macdonald (J. Farrell McDonald), in the leading parts. It is an out-and-out substitution and you don't have to accept it.

Note: I fear that "None But the Brave" is another case of "Mother Machree." Fox may have made the original "None But the Brave," but it may have turned out so good that he is holding it back, hoping to change its title and to sell it to you for more money next season. The fact that the title "None But the Brave," which he has "slapped" on the picture he is trying to foist on you, has no relation

whatever with the story or theme, strengthens my suspicions. I shall watch for it closely. Remember that Madge Bellamy was promised with it. I have just been informed by an exhibitor that Fox is delivering "Road House," which is supposed to be "None But the Brave," of the 1927-28 season, in place of "Joy Street," which has been sold in the 1928-29 group. Both pictures have the same leads. If the information is correct, then it is my opinion that "Joy Street" has turned out to be a very good picture and Fox is trying to deliver "Road House" in its place so that they might sell it to you later on for bigger money. Watch out!

The first part of the Fox program was analyzed in the issue of June 16. The analysis of this company's pictures is now complete.

First National Substitutions

"THE CODE OF THE SCARLET" (466): Because all Ken Maynard pictures were sold as a star series, this is not a substitution.

"GOOD-BYE KISS" (539): This belong to the 1928-29 season group.

"THE HEAD MAN" (454): The original title of this one is supposed to have been "Kelly's Kids," which was sold as Charlie Murray No. 2. The 1927-28 campaign book did not give the author, but described the picture as follows: "A flock of rough-neck youngsters let loose on Murray as the harrassed 'old man'." "The Head Man," however, which was produced under the working title "Boss of Little Arcady," has been founded on a story by Harry Leon Wilson, and revolves around a politician who lost his power when he took to drink, and whose grown daughter helps bring him back to his former state. It is manifestly a different picture from "Kelly's Kids," inasmuch as no rough-neck youngsters are let loose on Murray as the harrassed old man. It is, therefore, a substitution.

"HEART TO HEART" (458): The original title of this picture is supposed to have been "Tell the World," Astor-Hughes No. 2. But "Tell the World," was, according to the First National campaign book, to have been founded on a story by Howard Irving Young, whereas "Heart to Heart" has been founded on a story by Juliet Wilbur Tomkins. It is a clear story substitution.

"HEART TROUBLE" (427): This is supposed to be Harry Langdon No. 2, which was originally titled "The Nineteenth Hole." But according to the First National 1927-28 campaign book, "The Nineteenth Hole" was to have been a golf story. The following is a description given in that book: "Golf as it shouldn't be played!—Crashes in on the most popular sport in America. Figure for yourself the chances for unforgettable gags! The golf interest means an extra draw for every theatre that shows it." "Heart Trouble," however, which once was called "Here Comes the Band," has nothing to do with golf, and is a story by Arthur Ripley, with the World War as a background for Harry Langdon's love affair. It is clearly a story substitution.

"THE WRIGHT IDEA" (463): This picture was sold merely as Johnny Hines No. 3. No story, or author was given—not even the title. So it is not a substitution.

"THE BARKER" (543): This picture belong to the new season's group.

"OH KAY" (430): This was sold only as a Colleen Moore No. 2. Not a substitution.

Note: The first part of the First National program was analyzed in the issues of June 23 and 30th. The analysis of this company's product is now complete.

(Concluded on last page)

"White Shadows of the South Seas"—with Monte Blue

(Metro-Goldwyn; no release date set yet; 7,968 ft.)

A very good entertainment. It is refreshingly different in that the action unfolds in Polynesia; the beautiful scenery of those regions forms the background of the story, which is a good drama. The principal man part is taken by Mr. Blue; but the woman lead is taken by a Spaniard, who does as good acting as any veteran screen player. In fact the natives, who are used in the east, seem to be natural actors. The story is good although not sensationally so; but many of the incidents shown will, I am sure, prove of great interest to the American picture-goers of all classes. The scenes that show the natives, for example, diving for pearls at dangerous depths, are of great interest. The scenes showing one of them being overcome by the water pressure and brought to the surface unconscious is so well done that one feels as if seeing a real occurrence. The scenes that show the hero, a doctor, working on the unconscious body of the little boy, who is supposed to have drowned, should bring tears to the eyes, particularly at the moment when the youngster's life is shown coming back. This brought joy not only to the father, mother, sister of the boy and to the hero, but also to all the natives. The scenes that show the natives catching huge tortoises, too, should prove interesting to all picture-goers. There are other interesting and thrilling sights. The beauty of the scenery is almost indescribable.

The plot has been founded on the book by Frederick O'Brien. Manifestly the object of the author was to show the bad treatment that the natives received in the hands of whites—the diseases that are their lot because of the mingling of whites with them, the slavery, and every other cruelty of the white race. The hero, a white derelict, formerly a doctor, sympathizes with them, treats them and defends them from the whites. He eventually falls in love with the chief's daughter. In the end, he loses his life in defending the natives; he is shot and killed by a cruel white pearl trader.

Monte Blue does excellent work. Raquel Torres, a Spaniard, takes the part of the heroine with art. Robert Anderson is the villain. W. S. Van Dyke directed the picture creditably.

Note: This picture has been synchronized, with the disc system. So far as the music is concerned, it is very good, and in some places excellent. Such places are where singing is given. But the parts that show one of the natives mourning the death of his son aloud, and the hero laughing aloud, is low to the point of vulgarity; it should disgust all picture-goers of even the average intelligence. This picture would have, in my opinion, made a success with or without the mechanical music.

"The Cavalier"—with Richard Talmadge

(Tiffany-Stahl; Sept. release; 6,800 ft.; 79 to 97 min.)

Good. It is a mild "Mark of Zorro," with Mr. Talmadge's part like that of Douglas Fairbanks. Only that it is not so speedy. Mr. Talmadge does his acrobatic stunts well. His part is sympathetic in that he undertakes to defend the helpless Spaniards, persecuted by the whites. He also defends the heroine, a girl of the Spanish aristocracy, who had left Spain and had gone to California to marry the villain; she wanted a fortune for the sake of her aunt, and he wanted to climb socially. The hero masquerades as a peon, but at night time, or when the occasion requires it, he is the invincible caballero, defender of the weak, and avenger of the abused. He falls in love with the heroine. She, too, falls in love with the mysterious caballero, little realizing that he was the man that was posing as a peon and serving her. In the end, he makes his identity known to her. His life is placed in jeopardy many times, but he is always able to outwit the villain and his men. He and the heroine escape and eventually go back to Spain.

The action is fast all the way through. Some of the situations are thrilling. In the situations where the hero is shown detected and arrested, the suspense is strong; the spectator is apprehensive about his fate. The scene where the hero is shown jumping over a chasm with his horse, the villain falling into the chasm and getting killed when he attempted to follow the hero, who was running away with the heroine, too, is suspenseful.

The plot has been founded on the novel "The Black Rider," by Max Brand. It has been directed well by Irving Willat. Barbara Bedford makes a charming heroine. Stuart Holmes is a good sergeant. David Mir, David Torrence, and others, are in the cast.

"None But the Brave"—with Charles Morton, Sally Phipps and Farrell Macdonald (J. Farrel McDonald)

(Fox, Aug. 5; 5,713 ft.; 66 to 82 min.)

This is an attempt to create a role somewhat similar to the role impersonated by William Haines. It is a fairly successful imitation. The first half of the picture is slow and tiresome; the second somewhat makes up for the shortcomings of the first half. In the second, the action is fast, there is comedy, and tender pathos. The pathetic part is where the hero strikes the little boy, who worshipped him, on the head and fells him, the child becoming unconscious. The hero is almost out of his mind when he realized what he did. The child, of course, recovers, and from that moment on the two become inseparable friends. And, of course, as in the William Haines' pictures, Mr. Morton is made to pursue the heroine and eventually to make her fall in love with him in a way that in real life would have brought him nothing but slaps in the face, but that in pictures prove successful one hundred per cent. There are thrills, too, caused by outboard motorboat races. In the race often one fast running motorboat is shown almost riding over another fast running motorboat. Such sights have never been seen in pictures. They seem to be truly dangerous feats.

The plot has been founded on a story by James Gruen and Fred Stanley. It was directed by Albert Ray, the director who has several comedy successes to his credit. With the first half of the story better, Mr. Ray should have produced a knockout. Sharon Lynn, Tom Kennedy, Billy Butts, Alice Adair, Tyler Brook and a dozen or so bathing beauties are in the cast. A few scenes are in natural colors; they show the beauties in bathing costumes.

On the whole it is a good picture.

"Forgotten Faces"—with Clive Brook, Mary Brian and Jack Luden

(Paramount, Aug. 18; 7,640 ft.; 88 to 109 min.)

Good. It is slightly morbid, but there is much healthy sentiment in it. The spectator sympathizes with the hero, a crook, serving time, who wants to come out of the prison in some way so as to prevent his depraved wife from letting their grown-up daughter know what her father is. She had been reared ignorant of the fact that her father had been serving time. The spectator's interest is held pretty well throughout, and the suspense in some of the situations is tense. The situation in his daughter's home, for example, where the hero is shown leading his wife from one dark room to another, finally lighting a match and showing his face to her is one of them: the hero's wife had been driven almost crazy by the hero through mental suggestion until she, when she confronts the hero, shoots and kills him. And that is what the hero wanted—to make it impossible for her to tell their daughter that he, her father, had served a term in the penitentiary, even though in succeeding he had to offer his life as a sacrifice. The scenes of his death are pathetic.

The story, which is by Richard Washburn Child, deals with a hero who shoots and kills his wife's paramour in his own home. Before his arrest he and his confederate take his child and leave it on the doorsteps of a wealthy man's home. The hero is arrested, tried, convicted and sentenced to a long term in the penitentiary. Years later his wife, who had not reformed, tricks his pal into giving her the name and home of her daughter. She then goes to the jail and tells the hero with fiendish delight that she was going straight to their daughter to tell her that she is the daughter of a convict. The hero stops a jail break. For this, he is paroled. By a clever ruse he succeeds in becoming a butler in the home where his daughter was reared, his object being to prevent his wife from revealing to their daughter his past. He succeeds at the sacrifice of his life.

Vietor Schertzinger has directed it. Baclanova, William Powell, Fred Kohler, and others are in the cast.

"Ransom"—with Lois Wilson*(Columbia, June 7; 5,584 ft.; 64 to 79 min.)*

Just fair. The acting and directing are conventional although its suspense is mildly tense. The story revolves around a wealthy widow (heroine) and her four-year-old son. She is in love with a chemist (hero) who manufactured a very deadly poisonous gas which a notorious Chinese criminal in San Francisco wanted to obtain for the purpose of battling against his enemy, the police. And because his own spies had failed to get it on account of the good fight put up by the negro nightwatchman; he has the heroine's child made captive in his den and held for ransom, his purpose being to make the heroine use her friendship for the hero to get a sample of the gas.

The scenes in the den where the child is held a prisoner and where the heroine is taken, are fairly suspenseful because she is taunted by the sight of her little one, who is kept in another room. The scenes where she goes to the laboratory and fights with the hero, who refused to give her the gas, knowing how harmful it was, are quite suspenseful; there she locks him in a closet and unwittingly takes an empty bottle. The most suspenseful scenes are those that take place in the den with the hero shooting away at the Chinamen, who had been locked in one room where he eventually hurls the bottle of gas, thereby putting them all to death. The heroine and her little boy are rescued by the police the negro had brought to the scene. Miss Wilson is good as the heroine and Edmund Burns is good as the hero. Blue Washington is quite good and William V. Mong is acceptable as the Chinese criminal leader of the underworld.

The picture was founded on a story written by George Seitz and directed by him. Others in the cast are James Long and Jackie Combs.

"Powder My Back"—with Irene Rich*(Warner Bros., March 10; 6,185 ft.; 72 to 88 min.)*

Just fair. The story is not very strong. It unfolds in a small town and shows a candidate for mayor going after the show in which the heroine was the star on the grounds that her show wasn't good for the young folk of that town. He has it closed down. The heroine determines to "get" the hypocrite. She arranges a fake automobile accident in front of his home and is taken in so that the doctor might be sent for. The fake doctor advises that she must not be moved. The candidate is thus forced to let her stay at his home. In time she makes him fall in love with her. But because her plan was taking the wrong direction in that the son of the candidate had fallen in love with her and had forgotten his sweetheart, a sweet little girl, the heroine tells the candidate the truth and leaves the house. The young man calls on her and tells her how much he loves her. The young woman calls on her, too, and upbraids her. The heroine assures the young woman that she was not after her sweetheart and begs her to let her reform the young man. By making him believe that she was old, she makes him go back to the young woman. The heroine had fallen in love with the candidate for mayor and since he, too, had fallen in love with her, they marry.

The plot has been founded on a story by Jerome Kingston. It has been directed by Roy Del Ruth. Audrey Ferris, Andre Beranger, Anders Randolph, Carrol Nye and others are in the cast.

"The Mysterious Lady"—with Greta Garbo*(Metro-Goldwyn, Aug. 4; 7,652 ft.; 88 to 109 min.)*

Good. It is a play in which suspense abounds. The scenes, for example, where the hero, a young Austrian officer, who had been shorn of his rank and put in prison for treason because important state papers had been stolen while in his possession, is shown in Russia, where he had gone, after escaping from the Austrian prison by aid of his father, in the same place where the heroine was with other Russians of the intelligence department, is indeed strongly suspenseful. The spectator fears lest the heroine give him away. The later scenes, where the heroine opens the safe and takes the documents out of it to give them to the hero, the head of the intelligence department coming in just at that time, are other such scenes. Previous scenes, where the head of the intelligence department is shown trying to find the note the heroine had written for the hero and put

into the piano music sheets, too, are strongly suspenseful. There are other such scenes in other parts of the film. Miss Garbo does good work. Conrad Nagel is pretty good as the hero. Gustav von Seyffertitz is good as the head of the intelligence department. Fred Niblo has directed the picture well.

The story is that of a young Austrian officer who becomes infatuated with a beautiful stranger, little realizing that she was a Russian spy. She, too, falls in love with him. His father informs the hero who the heroine is and when he meets the heroine again while on a state mission, the hero upbraids her, calling her love false. Scorned, the heroine steals the papers from him and escapes into Russia. The hero is sentenced to prison for treason. His father helps him escape. He goes to Russia in an effort to recover the papers and to find out who in the war office was in the pay of the enemy. The heroine recognizes him but her love for him is so strong that she, not only does not give him away, but also helps him recover the papers and secures for him the name of the traitor. The two escape into Austria, where they marry.

Note: The original title of this picture was "None But the Brave," and was to have been founded on the book "War in the Dark," by Ludwig Wolff. The story of "A Mysterious Lady" is the same, well enough, but the picture was promised with John Gilbert and is being delivered with Greta Garbo and Conrad Nagel. It is a star substitution and you don't have to accept it if you so see fit.

F B O NO DIFFERENT*(Continued from other side)*

an exhibitor bring Pathe before a board. It would be only just.

Out of the Specials, they have decided not to make "Rip Van Winkle," but will make, or have made, "Power" and "Craig's Wife." They will, however, deliver them during the 1928-29 season.

In the case of these Specials, the picture that is left out would, in my opinion, have proved the best money-maker. Almost every man, woman and child has read "Rip Van Winkle," and I am sure that everybody would have seen the picture.

In this, the Specials group, "Power" and "Craig's Wife," will be delivered. But that will be little consolation to you. You bought them during the 1927-28 season, made your plans to show them during that season, and now you are told that you couldn't have them that season but you may the next.

The fact that Pathe-DeMille was on the verge of bankruptcy and Joe Kennedy saved the organization is little consolation to your box office, especially at this time. The producers should not sell pictures unless they feel sure that they will have money enough to make them with.

All this shows what a "game" still is the moving picture business. The sad thing about it, however, is that you have no remedy for such a condition. And you will not have a remedy even in the future, so long as Will H. Hays, through his manipulator, is able to manipulate the contract and give you no more than he feels like giving you.

How long, oh, how long, will these conditions be tolerated by you?

W. A. SIMONS AMUSEMENT CO.

W. A. Simons, Manager

Missoula, Mont., July 31, 1928.

Mr. P. S. Harrison, Editor,
HARRISON'S REPORTS,
1440 Broadway,
New York City, New York.

Dear Mr. Harrison:

Enclosed please find our check for \$10.00 covering subscription on your very valuable reports that we have been receiving for the past many years.

We might incidentally say, that we enjoy your reports, your attitude, and feel that you are doing everything that you can for the benefit of the independent exhibitors and from the present indications it looks as though there might be very few in time to come.

With my kindest regards.

Yours very truly,

W. A. SIMONS.

Columbia Substitutions

"RANSOM" (June 7): The original title of this one is supposed to be "San Francisco." Though no author was given in the 1927-28 campaign book, "San Francisco" was described as society-underworld spectacle. The finished product is an ordinary underworld melodrama; nothing spectacular about it, but the story unfolds in San Francisco. For this reason it cannot be declared a substitution. You have to accept it.

"THE WAY OF THE STRONG" (June 19): In the campaign book it was stated that this picture would be founded on a story by Octavus Roy Cohen, whose book deals with, to use the exact language in the announcement, "a girl who had everything that money could buy but yearned for something money couldn't buy." The finished product is described in the press sheet as an underworld melodrama, and says in a heading that the "Exploits of Famous New York Gangster Furnish Background for Gripping Motion Picture." This press sheet gives no author. This proves conclusively that it is a story substitution. I may be able to see the picture this week in a theatre. If I do, I shall watch the introductory title closely to see what author is given credit for the story. Watch the review for the information. But I am sure that it is a substitution, for the omission of the author's name from the press sheet does not seem to be accidental.

"BEWARE OF BLONDES" (July 1): The 1927-28 campaign book described this as a picture to be founded on a story by Pierre Dumond, "who . . . knows his blondes!" The press sheet does not give the author's name evidently in an effort to hide it from watchful eyes. But you can always find it in the introductory title. It is there where I shall look for it when I see it, if it is shown in a theatre here. It is no doubt a substitution.

"SAY IT WITH SABLES" (July 13): The annual campaign book described this as a story by Dorothy Howell, "whose screen stories for past Columbia Successes," to use the language of the book, "have meant profits at the box office." The finished product, however, has been founded on a story by Frank Capra and Peter Milne. It is a story substitution and you don't have to accept it.

"VIRGIN LIPS" (July 25): The campaign book stated that this picture would be founded on a story by Jack Lait, "Nationally Known Syndicate Writer and Playwright. Author of 'Help Wanted,' 'One of Us,' 'The Boy Friend,' and other famous plays and stories." The finished product, however, is by Charles Beahan. Such being the case, it is not the picture you bought, and therefore you are not obligated to accept it.

Metro-Goldwyn-Mayer Substitutions

"FORBIDDEN HOURS" (730): For analysis of this picture read footnote in review printed on page 119, issue of July 28.

"THE COSSACKS" (842): Not a substitution.

"TELLING THE WORLD" (810) Haines No. 4: Not a substitution.

"FOUR WALLS" (835): Not a substitution.

"WAR IN THE DARK" (833): Read the review in this issue.

"HER CARDBOARD LOVER" (829): Not a substitution.

Universal Substitutions

The Universal program was analyzed completely in the issue of June 30. The following information may be added, which has been obtained by a closer study:

"MIDNIGHT ROSE" (A5701): This picture was sold Mary Philbin and has been delivered with Lya de Putti.

"STOP THAT MAN" (A5707): The original title of this one is supposed to have been "The Girl Show"; but the two titles do not belong to the same story for the reason that "The Girl Show" has been described by the Universal campaign book as follows: "Life with the Follies of the Tank Towns!—A wrestler who meets all comers!—Atmosphere, jazz, heart beats, and laughs in a sure-fire for entertainment. A William Wyler production with All Star Cast"; whereas "Stop That Man" has been founded on a story by George Hobart, and has nothing to do with jazz, being a story in which Arthur Lake got himself and his policeman brother in trouble by posing as a policeman himself. (See review on page 50, issue of March 31.)

Pathe Substitutions

This program was analyzed completely in the issue of June 30. There is nothing more to add.

Warner Bros. Substitutions

The Warner Bros. Program was analyzed completely in the issue of June 30. There is nothing more to add for the reason, as said in the June 30 issue, that Warner Bros. sold merely titles and the finished product cannot be "pinned down." It is a bad state of affairs when a producer hasn't the courage to say what stories he is going to put into pictures. He wants to leave the door open so that he may toist on you any junk he sees fit, and to withhold any good pictures that he may accidentally produce. Know what you are buying! Don't buy a cat in a bag!

F B O Substitutions

As said in the issue of June 30, I have not been able to discover any substitutions in this company's 1927-28 product. I expect to scrutinize it more closely this week. In the meantime, if you have been notified by them of any change of title, inform this office at once; it will furnish the clue.

Paramount Substitutions

As said in the issue of June 30, I have not been able to discover any substitutions in this company's program.

F B O NO DIFFERENT FROM THE REST

Last year F B O sold 18 Gold Bonds and 12 Master Showmen. They did not make any so-called Specials.

This year they are selling 24 Gold Bonds. They have no Master Showmen. Instead, they are selling 6 Specials.

Last year they cried themselves into your hearts by telling you that they were a small concern and needed help. And you, in order to give a "little fellow" a "lift," booked their pictures and paid them more money for them. I felt sympathy for them myself.

The 1927-28 product did not come up to the standard of the 1926-27. And nobody knows what they will turn out to be this year. "Gang War," thought a good picture (but not great), does not mean that the other product will come up to the standard of this one: One swallow does not make a summer.

But this is not the important fact: Last year they begged those of you that bought their product to permit them to allocate the prices themselves. And you, good-heartedly, permitted them to do it. They then piled up most of the money on the Gold Bonds, putting low program prices on the Master Showmen.

This year they have taken the prices for the Gold Bonds as a basis, and are asking an increase over the fictitious prices they themselves created. They have no Master Showmen this year to lighten your burden by putting small prices on such a brand. Instead, they are selling you six Specials, demanding prices that are not demanded even by the biggest of the producer-distributors.

And we all thought that F B O being little fellows, needed a lift. And we gave it to them. Which shows that you dare not be a good-natured fellow towards the sellers in this business. If you do, you get the worst of it in the end.

And I admit that I was as guilty as any of you in thinking that they needed a "lift," being little fellows.

I have often cautioned you not to permit the exchange-men to allocate your prices, pointing out the danger to you. I even cited an instance where Paramount allocated the prices on the Menjou pictures, the case being that of an exhibitor on Long Island, and afterwards they used the fictitious prices they created for the Menjou pictures for that exhibitor to ask him twice as much the following season.

Don't let them do it again! Allocate your own prices!

* * *

While talking about F B O, we might just as well talk also about its step-sister—Pathe-DeMille (now Pathe).

Last year, they sold you 26 DeMille Master Group and 10 DeMille Specials.

Of the Master Group they have delivered only 18; they have announced that they will not make 8 out of the total 26. The following are the pictures that they will not make: "He's My Man," "In Bad with Sinbad," "Such is Fame," "Free and Easy," "The New Yorker," "Self Defense," "Heart of Katie O'Doone," and "What Holds Men."

Now, it is nothing unusual for a producer now and then to be unable to make a picture or two because of unforeseen conditions. But when a producer makes only sixty-nine per cent of the product, it is down-right bad faith. And arbitration boards should cancel the entire contract should

(Continued on other side)

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Posses-	
sions	12.00
Canada and Mexico..	12.00
England and New	
Zealand	14.50
Other Foreign Coun-	
tries	16.50
25c. a Copy	

1440 BROADWAY

New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, AUGUST 18, 1928

No. 33

Facts About Talking Pictures and Instruments—No. 1

The question that is troubling almost every one connected with motion pictures today is whether the talking pictures are here to stay, or are merely a novelty, destined to pass out of existence as soon as their newness wears off. It is puzzling to the producers and distributors, it is puzzling to the artists, and it is puzzling to the exhibitors, small as well as big.

Some say that there is no merit in this invention; some, that no theatre will be able to exist unless it installs a talking picture device; but the majority are at sea and are seeking to be enlightened.

To say with accuracy whether talking pictures are here to stay or will soon die out is, of course, out of the question; one must be endowed with occult powers to see what is going to happen in the future. But one can make a study of them, bring to aid what occurred in kindred businesses so that, with whatever knowledge one can muster, one may be able to arrive at certain conclusions.

It is with the object of helping exhibitors form their own conclusions by presenting to them whatever facts are at our disposal and by expressing certain opinions that I have undertaken to write this article.

Let us for the present let the question of the fate of talking pictures for another part of this article, confining ourselves to other relevant questions:

The question next in importance to the future of the talking pictures asked most frequently is: What is the best instrument in the market? To enable you to determine this answer for yourself, let me present you with the facts that I have been able to gather after close study.

There are three types of instruments made: the disc type, the film type, and a combination of the two.

The type that is a combination of the two uses the film as a "disc," the grooves running alongside the film. The reproduction is by needle, just as it is in the phonograph. But because the instrument using this type of film is still in embryo form, let us leave it to one side at present; we may discuss it only when it is manufactured, and the demonstrations prove that it is successful beyond any doubt.

Of the other two types, the disc type is, as every one of you no doubt knows, a duplication of the phonograph, on a large scale. The moving picture machine is coupled to the disc turntable, and run by the same motor. There is a starting point on the film and a starting point on the disc. The two must start at the same time, from these given points. If one should start ahead of the other by more than one-eighth second, the result is disastrous; the voice and the motion work against each other, disconcerting the spectator.

The film type has the sound imprinted on the film itself, in the form of a sound track, of about one-eighth inch in width, running alongside the film between the sprocket holes and pictures. When a piece of film is cut off, the words or the sound is cut off also. From this you will readily see that the film can never get out of synchronism except for a short length whenever a piece of film is cut off and is not replaced. This occurs because of the fact that the sound is not recorded on the same spot as is the action, for the reason that, on account of mechanical requirements, the sound aperture (slit) is twenty frames ahead of the moving picture aperture through which the motion is projected on the screen, film of this length being required to cover the distance between the moving picture machine aperture and the

slit, as well as to form the required loop. The picture gets out of synchronism for twenty frames every time a break occurs and the part removed is not replaced in the patching. But the time during which the picture is out of synchronism is of so short a duration that it is hardly noticed; because of the fact that the twenty frames are run in one second, the film remains out of synchronism only for one second (or for 20/24ths of a second, to be exact); that is, until the patch, leaving the moving picture aperture, reaches the sound-track aperture (slit). Even then, the motion and the sound still are synchronous in case no more than three frames are removed in the patching and are not replaced, for the reason that the one can, as it has been observed, be ahead or behind the other one-eighth of a second without bad results. And three frames represent but one-eighth of a second, for, in talking pictures, the moving picture machine is run at 90 revolutions per minute, or, at one and one-half revolutions per minute; and as each revolution "eats" 16 frames, 24 frames are run at each minute. And three frames are one-eighth of the twenty-four.

Recording

Let us now deal with the recording process of the two types:

In the disc type, the sound waves strike the diaphragm of a microphone. This generates electricity, which causes the steel point to cut into the revolving record, "chiseling" out undulations that correspond to the strength and the volume of the sound. As said in these columns before, there is a disadvantage in this method of recording, in that the energy required to set the diaphragm into motion (to overcome the inertia) must be deducted from the energy generated by the sound, which sound is to be "chiseled" into the record in the form of undulations. In dealing with the energy generated by speaking or by other sound we are dealing with faint power, and anything lost anywhere on the "road" must be deducted from the result. And that is exactly what happens in this type of recording. And that is why the overtones, so necessary in harmonics, do not record themselves on a disc record. Strike a bell once and you will notice, if you will observe carefully, that there are other notes, of different pitches, superimposed on the basic note. These are what in acoustics are called "overtones." They are absent in the disc method of reproduction.

Another defect in the disc type of reproduction is the fact that the low frequency sounds (bass notes) and the high-frequency sounds (high notes) do not record themselves, either at all, or faithfully, for this reason: There are 100 grooves on an inch of record. In the low-frequency sounds, the oscillations sideways are so wide that the steel point breaks the wall of the next groove. For this reason the talking picture producers dare not record sounds below a certain range. In the high-frequency range, the steel point works so fast that, instead of "carving" out the sound path, it chips it, with the result that such tones are not natural when reproduced.

In the film type, a delicate mirror in one system, hung on fine wires so that it may oscillate freely, reflects on the film (which is reserved for the sound track) light, received from a lamp conveniently placed. Another film system uses the microphone arrangement. In

(Continued on last page)

"Lilac Time"—with Colleen Moore*(First National, release date not yet set; 8,967 ft.)*

Another good war picture, of the "Legion of the Condemned" and "Wings" type. In quality, it is of about the "Legion of the Condemned" grade; in spectacularity, it is a little better. Several aeroplanes are seen crashing on the ground in such a manner that one is positive that they crashed actually and not by prearrangement. There are thrills a-plenty, caused chiefly by these aeroplane crashes. But there is also deep pathos, the result of a good story, capably acted by Miss Moore and Mr. Gary Cooper, who takes the part of the hero. The action unfolds in France, and Miss Moore is shown in a role of a "godmother" to a corp of English aviators. She lived near the field, and each time they returned from an expedition she counted them to see if all "her children" had returned. It is when one of them failed to return that causes the pathos. The love affair between Miss Moore and Mr. Cooper is powerful; it almost equals that in "The Big Parade." It was after the two had fallen in love that the hero is ordered to go with the others on a bombing expedition. The Germans were breaking the allied lines everywhere and the seven comrades were ordered not to return alive but to stop the Germans at all costs. All had been downed except the hero. In his return trip alone he is met by a formidable enemy in a monster machine. The memory of his lost comrades so enrages him that he attacks him. Each downs the other. The hero's aeroplane falls to the ground near the heroine's destroyed home. The heroine extricates him from the wreck and succeeds in inducing the driver of an ambulance to stop and to take him to a hospital. But she is almost out of her mind when she is not allowed to accompany him. Heart-broken she walks from place to place until she eventually learns where he had been kept. The hero's father, who did not approve of his son's love affair with the heroine, tells her that his son is dead. The son, however, was not dead but only seriously wounded. The heroine buys a bunch of lilacs, her favorite flower, and asks a soldier to place them near his "body." The hero wakes up and when he finds the heroine's favorite flowers near his pillow he guesses that she was somewhere near him. He rises from the bed and goes to the window. He calls her aloud but the noise of the passing trucks drowns his voice, until he eventually is able to call her attention to him. She rushes to his rooms and they embrace. It is in these scenes where most of the pathos occurs. It is doubtful if tender-hearted persons will be able to suppress their emotions. Women should abandon themselves to their tears.

The plot has been founded on the stage play by Jane Cowl and Jane Murphy. The picture has been directed by George Fitzmaurice. Burr McIntosh, George Cooper, Cleve Moore, Eugenie Besserer, Emil Chautard and others are in the cast.

"Stocks and Blondes"—with a Special Cast*(FBO, Sept. 9, 5,430 ft.; 63 to 78 min.)*

Boresome! There is not much "meat" to the story, and therefore the hard work of the players does not produce results. The theme is trite; and its background is business—just what the average person does not want to see in pictures. The hero is a messenger for a Stock Exchange broker, but he can make no headway. The heroine's dancing partner, a gold-digger, advises the heroine to give up hoping that the hero, her sweetheart, would make a success in life and to take up some moneyed man. The hero loses his job, and his hopes. At the cabaret the heroine is introduced to a wealthy man, who afterwards turns out to be the hero's former boss. At the table she overhears him talking to another man about certain stocks that would go down and then up a certain number of points, and she advises the hero to trade in that stock accordingly. On the tips the heroine and other cabaret girls are able to give the hero, he becomes wealthy. But after making a success he forgets the heroine. The hero's former boss hears of his contemptible conduct and breaks him. The hero goes back to the heroine, begs her forgiveness, and assures her that he will never again forget her.

The plot has been founded on an original story by Dudley Murphy, by whom it has been directed. Gertrude Astor is the gold-digger; Jacqueline Logan the heroine; Skeets Gallagher the hero, and Albert Conti the Wall Street broker.

"The Way of the Strong"—with a Special Cast*(Columbia, June 17; 5,752 ft.; 67 to 52 min.)*

Not a bad underworld melodrama. It has its exciting moments, the result of shooting with machine guns, and its moments of pathos. It manages to keep the spectator interested all the way through.

The purity of love, even in the heart of a bootlegger, and the sacrifices it demands is the theme. In the development, an underworld character, leader of a band of bootleggers and stick-up men, is shown as having love for music. Circumstances so shape themselves that he comes across a beautiful blind girl (heroine), playing a violin for a living. He gives her a position. Her music charms him at first, but afterwards he is charmed by her beauty and eventually falls in love with her. His pianist, a young man, falls in love with her, too. When the girl, moved by the kindness he had shown to her, wants to feel the features of his face so that she might know how handsome he is, the hero, who has a disfigured, ugly-looking face, shoves the pianist to her and she feels the pianist's features. She thus convinces herself that the man that had been so kind to her is "handsome." The enemy gang leader's mistress finds out that the hero is in love with the blind girl and so informs the gang leader. With the aid of his men he abducts her. The mistress, seeing that she is about to be discarded, informs the hero of the heroine's whereabouts. The hero and his men rush to the place and a battle ensues, during which several from each side are killed. The police arrive but the hero, the pianist, and the heroine escape. The hero, realizing that he was not good enough for the heroine and that his pianist could make a better husband for her, tells them to escape. He then deliberately allows himself to be shot by the police, who were following in an automobile.

The plot has been founded on a story by William Counselman; it has been directed by Frank Capra. Mitchell Lewis is the hero; Alice Day the blind girl; Theodore von Eltz the pianist; Margaret Livingston the mistress, and William Norton Bailey the leader of the enemy gang.

Note: The Columbia campaign book promised that this picture was to have been founded on a story by Octavus Roy Cohen, and since the finished product has been founded on a story by William Counselman, it is not the picture you bought and therefore you are not obligated to accept it. See also analysis in last week's issue.

"The Vanishing Pioneer"—with Jack Holt and Sally Blane*(Paramount, June 23; 5,834 ft.; 67 to 83 min.)*

An interesting Western full of thrills and suspense. It is based on a Zane Grey novel, and unfolds in the days when the West was young and the pioneers trekked over the deserts for the purpose of establishing homes when they were successful in discovering water. Jack Holt is very good in the dual role, as leader of the band of pioneers, and as his son (hero). Sally Blane is the charming heroine whose faith in the hero saved his life when he was suspected of double-crossing the settlement by selling out his water-rights. William Powell is the suave villain who is entrusted by the Mayor of the neighboring city to make a deal to get a supply of water from the pioneers. He is in reality head of a band of crooks in league with the sheriff (Fred Kohler), who is a reformed crook; he eventually falls for the villain's plot to gyp the settlers out of their property. There is a situation in his office where a settler had gone to buy back his property when he is shot by the villain and the hero is blamed for it; it is fairly tense with suspense as is the scene in the jail where he outwits his captives and escapes. There is a great deal of hard riding by the villains to catch the hero and to fasten the blame on him, in the eyes of the settlers. When the hero at the point of a knife makes the villain confess that it was he who had forged his (the hero's) signature to a deed and they dash off to the dam where the villain's men had turned off the water to make the rest of the settlers surrender, there is suspense and not a few thrills. When the Mayor comes in time to discover what kind of man he really was, the hero is vindicated and the villain is given his just deserts. The picture was directed well by John Waters. There is a clever dog in it.

The picture should please children as well as adults.

"Heart to Heart"—with Mary Astor and Lloyd Hughes

(First National, July 22; 6,071 ft.; 70 to 86 min.)

Very good. The interest is held well all the way through. There is considerable human interest of the mild sort; and there is some mild comedy. The love affair between Miss Astor, as the heroine, and Lloyd Hughes, as the hero, is charming. Mr. Hughes does good work; and so does Miss Astor; she looks and acts the part of a princess, and as her part requires her to be democratic, she wins the spectator's sympathy for it. Louise Fazenda contributes considerable comedy as the young princess' aunt. The scenes where the young princess called on her aunt and was not recognized are comical. The aunt and the neighbors took her as the expected seamstress, and were talking to her about the princess, whom everybody was expecting. Lucien Littlefield contributes his usual share of comedy.

The plot has been founded on a story by Juliet Wilbur Tompkins. The picture has been directed by William Beaudine. Thelma Todd, Raymond McKee, Eileen Manning, Virginia Gray and others are in the supporting cast.

It is a substitution. See analysis in last week's issue.

"Say It With Sables"—with Francis X. Bushman and Helene Chadwick

(Columbia, July 13; 6,401 ft.; 74 to 91 min.)

Not bad. It is a society drama with a melodramatic mystery twist, not without suspense. The first few reels, disclosing the gold-digging abilities of an adventuress, who had fallen in love with the son of a man whose mistress she had been, are rather slow but when the son brings his fiancée home to meet his parents there is considerable interest awakened; one likes to know how the father would take it. The mystery develops in her room where the hero, his father and someone unknown had visited the apartment, the unknown person having committed the murder. Her maid is suspected by the spectator because she had tried to blackmail her mistress. The son is suspected because of the way he had sneaked out of the room. The father, coming to the room in a careful manner, removes all traces of the murder and leads the detectives to believe she had committed suicide. The scenes in their home are quite filled with suspense as the father declares he had committed the murder, the son first denying and afterwards, to protect the father, saying he had committed it. But the detective does not believe either of them and, through an earring he he had found in the victim's hand, he discovers that the boy's mother had done it. But he shields her and the world is lead to believe that she had shot herself.

Francis X. Bushman is excellent as the father who wanted to shield his son whom he was very fond of; and so is Arthur Rankin, as the son. Helene Chadwick is good as the step-mother who, in her desire to protect her family from the clutches of the sable-coat hunting gold-digger, relieves them of her presence. June Nash is sweet as the step-sister who is very much in love with her step-brother whom she finally marries. The picture is based on a story by Frank Capra and Peter Milne and it was directed by Frank Capra well.

Note: This is a substitution. See last week's analysis.

"The Head Man"—with Charles Murray

(First National, July 15; 6,502 ft.; 75 to 93 min.)

Good! There is much pathos in it, and more comedy, the result of the good acting by Mr. Murray and by his support. Mr. Lucien Littlefield, for example, makes a good friend of the hero, sticking to him through and through. Loretta Young is young and pretty, and does good work, helping the picture considerably. Larry Kent, too, makes a good hero. But it is Mr. Murray that walks away with the acting honors. There is comedy in whatever he does as the hero, except when his daughter feels sad because he continues to drink, despite his promises to give up drinking. Then there is pathos. The part gives Miss Young much sympathy; she is shown being loyal to her father and never ceasing in her effort to make him regain his self-respect. It is commendable loyalty. The situation where the hussies of the town, headed by the politicians, call on the hero with the object of inducing him to leave town because they, the politicians, feared him on account of the fact that he still had a big following, left him from the days when he was

mayor of the town and a respectable citizen, has pathos and comedy, mostly comedy.

The plot has been founded on a story by Harry Leon Wilson. It was directed by Eddie Cline. It revolves around the efforts of a daughter to make her father give up drinking and to come back to his former self. She succeeds—her father gives up drinking and once again he is elected mayor, defeating his opponent, and she marries the young man who loved her and who, too, helped her in her efforts to reclaim her father.

It should please everywhere, mostly the women patrons, for it is chiefly a woman's picture.

"The Cowboy Kid"—with Rex Bell

(Fox, July 21; 4,293 ft.; 49 to 61 min.)

While it is full of slapstick comedy, in this so-called Western, it is a fair enough picture. Rex Bell is very good as the boy who always is around when a bank robbery or a stage coach is about to be held up. Mary Jane Temple is the heroine who is rescued by the hero when she goes after the motor truck which was to save her father, the banker, from ruin, after the bank had been robbed. There is comedy contributed by Alice Belcher as the homely singer with the beautiful voice, who is in love with the deputy sheriff, and by the sheriff; he is vain and afraid to fight. Joseph DeGrasse is good as the heroine's father. Brooks Benedict is the villain. The picture is based on a story by Seton I. Miller, directed by Clyde Caruth.

GIVE UNTIL IT HURTS!

The darkest page in the history of the motion picture industry is being written these days, by the arbitration boards. Exhibitors are being "murdered" by these boards. An exhibitor has contracted for certain pictures, and the exchange hands him entirely different pictures, in some cases with mediocre players when he bought them with stars. He discovers that the pictures the exchange delivers are not the pictures he bought and refuses to accept them. The exchange writes a letter to the exhibitor threatening him with arbitration board proceedings. The exhibitor still refuses to accept them, even after play-dates have been assigned to him. The exchange enters a complaint with the Film Board of Trade, and the secretary puts the case on the calendar, notifying the exhibitor to that effect.

On the day of the trial an exhibitor may refuse to appear because of the inconvenience to him; when one lives two hundred miles away from the exchange city, he cannot make the trip with pleasure, especially during the warm weather. So the case is decided by default, thanks to the steps the Hays organization took to have Amendment 4A of the New York Arbitration Act passed.

But even if the exhibitor attends the session of the board; it makes no difference; he gets the worst of it just the same. Numerous such cases have been reported to this office.

Just think of it! You have the facts in your hands by which you prove that the pictures the exchange is trying to foist on you are not the pictures you bought and yet the arbitration board renders a decision against you.

Mr. Hays is certainly entitled to the big salary he gets if not for anything else at least for having installed in this industry arbitration injustice. He has served the producers well with it.

I am very sorry to say to those who appeal to me for help that I cannot help them. I wish that I had the power to undo the injustices but I cannot. The only way that I can help you is again to suggest to you to send a check for whatever amount you can to Mr. Alec Moore, chairman of the committee that has been appointed by the Pittsburgh exhibitors to fight the "penalties" demand of the exchange of Mr. Gorris, the McKeesport exhibitor. The lawyer of the organization, Mr. Eaton, a fine gentleman, has been able to secure an injunction forbidding the exchanges from demanding penalties of the exhibitor until the case is tried. Send your check to Mr. Moore, in care of M. P. T. O. of W. Pa., Hotel Henry, Pittsburgh, and help the boys take the blackjack away from Hays' arbitration boards and re-establish law and order in this industry.

Give all you can! Give until it hurts!

either case recording is far superior to that of the disc system, and is capable of recording a greater range either of high or low frequency sounds.

Recording on Film

There are two types of recording of sound on film: the variable density, and the variable width.

The variable density system is used by Western Electric, and the variable width by the R. C. A. Photophone. The Fox-Case Movietone uses the variable density system. (For the sake of clarity, let it be said that the word "Movietone" does not denote a particular type of talking machine; it has been used by Fox for their own instrument. The same instrument may be given a different name by another company. The same is true of the Vitaphone; it is a name applied on their own system by Warner Bros. Another company may secure the rights to the same kind of instrument from Western Electric and call it by another name. But for convenience, let us use the words "Vitaphone," to denote the disc type, "Movietone" to denote the variable density type, and "Photophone" to denote the variable width type.)

The Movietone, or variable density, sound track, consists of different density lines running across the sound track, over the entire width. The density of the lines are the result of the strength and quality of the sound. If the sound is soft, the lines are very light; if the sound is strong and has great volume, the lines are dark.

The Photophone (variable width) sound track is black on one side, and transparent on the other, the division line resembling sometimes a saw, with the teeth of different lengths, sometimes a miniature mountain range. The division line is always irregular, and its shape depends on the pitch and volume of sound.

In both types a ray of light strikes the sound track and reaches the photocell, reproducing the sound that was recorded on the film. (How the sound is produced is omitted because it is outside the scope of this article.) But in the Movietone type the light that passes through the sound track and reaches the photocell is regulated by the density of the lines on the emulsion, whereas in the Photophone type the amount of light that passes through the sound track is regulated by the width of the transparent part of the sound track. Figuratively speaking, in the Movietone system the amount of light that goes through the film to reach the photocell is regulated by curtains, drawn across its path or removed from such path, just as the requirements of sound dictate, whereas in the Photophone system such light is regulated by a sort of valve.

Reproduction

The greatest enemy of good reproduction is imperfections in developing or dirty sound track. It causes a ground noise. Of the two film systems, the Movietone is subject to ground noise more than is the Photophone system, for the reason that the sound shadings of it can be affected by oil or by other dirt, whereas the Photophone system, not depending on "shadings," cannot be affected to an equal degree. Grain structure, too, enters into the matter; any defect in it will produce a ground noise, just as will any defect in developing. A defect on the Movietone sound track cannot be painted over. Remember that we are dealing with fine shadings of sound and any imperfections on the sound track of the systems that use the variable density type of track cannot help having a detrimental effect on the quality of the sound.

In the Photophone, defect in the grain structure of the emulsion as well as imperfections in developing have no effect on the quality of the sound, for the reason that the defective part can be painted over. Since this type of sound recording and reproducing does not depend on shading, no matter how black the defective part is made by painting, the effect on the sound is not detrimental.

Types of Sound Reproduction

The Movietone and Vitaphone systems use the same kind of horn, and the same kind of diaphragm. But it is a different kind of diaphragm from that used in telephone; it is not flat. It is like a cigar ash tray, cupped at the one end, and with a flange at the other: it is made out of duralumin, an aluminum composition. The cupped part of the diaphragm is used for an air cushion effect, by having a ball fit into the cupped part and kept

at some distance from it. When the diaphragm vibrates, the air between its cupped part and the ball acts as a cushion and prevents it from rattling.

But even though it is an ingenious piece of mechanism, it has its limitations. It cannot stand overloading. In sounds of great volume, it is liable to destroy itself. In low-frequency sounds, it must rattle, for the reason that the vibrations being few per given time, fewer than the vibrations in the case of high-frequency sounds, the air between its cupped part and the ball does not act as a cushion in the same manner as it acts in the higher frequency ranges.

The Photophone does not use a diaphragm; the paper cone that is used for projecting the sound acts as a diaphragm. The area of the cone is approximately sixteen times greater than the area of the Western Electric diaphragm, and, as the Photophone installation uses sixteen cones, whereas the Vitaphone and Movietone use an average of four horns, the Photophone system has at least sixty times as much vibrating area as has the Vitaphone-Movietone system. This enables the Photophone to produce volumes of sound that cannot be produced by the systems that use the horn, and to reach low-frequency ranges that cannot be reached by systems that use the Western Electric diaphragm. It is my opinion, in fact, that no diaphragm-using system can reach the volume or the frequency ranges that are reached by the instruments that employ the cone system of sound reproduction and projection. The cone system produces a better quality of sound, too. There is no instrument in the market at present that can give out as melodious a sound as can the voice or the instrument that produces the music; but the cone approximates the natural sound far more than does the horn.

Sound Projecting

The next thing of importance is the projection of sound:

There are two types of sound projection: The horn type, and, as said, the cone type.

The Vitaphone and the Movietone use the horn; the Photophone, the cone, made out of paper.

The horn has several disadvantages:

(1) It cuts off the low-frequency sounds (bass notes). As you know, the cornet produces high notes because the blasts are sent through narrow tubes, and short. On the other hand, the bass horn produces low notes because the blasts are sent through wide tubes, and long. Thus it is seen that low notes require length and width in the tubes.

There is a limit in the talking picture field as to how long the tube part of the horn can be made, and how wide the horn itself. The horns used by the Vitaphone and the Movietone are twelve and fourteen feet long, (coiled), and can reproduce successfully low sounds only up to a certain range. To reproduce the entire range of low sounds it will require a horn so long and so cumbersome that it will be necessary for the theatre owner to install a winch to lift it up whenever he needs to use the stage for some other purpose.

The paper cone system presents no such defects and difficulties; it is in two sizes, either twelve or sixteen inches in diameter, about six inches deep, and tapers to a hole of about the size of a silver dollar. At the outer circumference it is mounted on soft, flexible kid leather, and on the inside on three fine silk threads. It is naturally placed close to the electro-magnets. This mounting arrangement allows it to vibrate freely in and out, like a piston, producing as good a quality of sound as could be produced by a mechanism when one takes into consideration present mechanical limitations.

(2) The horn distorts some sounds and suppresses others. This occurs when the low-frequency waves strike the sides of the horn. The result is unnatural. This defect is noticeable in the human voice more than it is in the musical or other sounds; the voice sounds hollow, or as if "it has come out of a barrel," as some have put it.

The horn possesses some other defects. But as these are not so important as the ones already mentioned, they are left undiscussed for the present.

Next week: Interchangeability; prices for the different types and for theatres of different seating capacity; added cost of theatre operation because of the installation of a talking picture device, and other matters of importance to exhibitors seeking light.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions	12.00
Canada and Mexico..	12.00
England and New Zealand	14.50
Other Foreign Countries	16.50
25c. a Copy	

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING
Vol. X
SATURDAY, AUGUST 25, 1928
No. 34

Facts About Talking Pictures and Instruments — No. 2

In last week's article it was stated that, of the two methods of recording sound, the disc and the film, the film method is the better; of the two film methods, the variable density and the variable width, the variable width is slightly the better; that of the two methods of reproducing sound, the diaphragm and the cone, the cone is the better; and that of the two types of sound projectors, the horn and the cone, the cone is the better.

Supplementing those observations, I may say that the disc method, being in my opinion wrong in principle, may have to be discarded sooner or later, and that those of the producers that use this method in making talking pictures, may be compelled to adopt the film method or else go out of existence. What makes me come to such conclusions will be explained in the summary of these articles.

But no matter how wrong the disc method may be, in principle as well as in theory, we are today confronted with a condition that compels us to do a different kind of thinking. I am referring to the fact that theatres that are using disc talking pictures are drawing large crowds. The only theatres, in fact, that are making money now are those that have a Vitaphone. I have been told by some of those that have had such an instrument that they made the price of the instrument within a short time after the installation, and a profit besides, so that, if they should be called upon to scrap it now, they would not be the losers in the least. Under such circumstances, who is the exhibitor that will hesitate to install a disc type of instrument, no matter how wrong in principle it may be, if by so doing he will resurrect his business?

Installation

The question now is one of installation. Can he have an immediate delivery of an instrument, or a delivery within a reasonable length of time?

I have been informed that an order placed with Electrical Research Products, Inc. (the selling organization for Western Electric), now cannot be filled until next July; the orders have been sent in so thick and fast that it is impossible for Western Electric to supply the demand. On the other hand, Photophones will not be delivered in quantities for some time. I understand on good authority that there will be about 300 delivered this year and about 3,000 in 1929. Under the circumstances, one has to wait for a long time for an installation, no matter whether he wants the one instrument or the other.

In my opinion, placing an order for an instrument now when one cannot have it installed until a year from now, is altogether unwise. One cannot tell what improvements will be made in the talking instruments in twelve months. An instrument may be invented that will give out sound so natural that may make the present instruments obsolete. Things are happening fast in this industry and one cannot take chances. It is well for the big exhibitor to go ahead and install one now, no matter what kind, because he, if an improved instrument should be placed in the market, can afford to spend an additional twenty or thirty thousand dollars for the new instrument; but not so with the small exhibitor; he cannot spend ten or fifteen thousand dollars twice in a short time. For this reason, it is my opinion that it will pay a small exhibitor, unless he can have an immediate installation, to wait for developments.

Interchangeability

The next important question naturally is about interchangeability.

I put the question to some executives of Electrical Research Products, Inc., and they shrug their shoulders; they would not commit themselves. I put the same question to the

executives of RCA Photophone, Inc., and they pointed out to me a recent statement by Mr. Sarnoff, president of the Photophone Company; also to an advertisement in the June 30 issues of the trade papers. The advertisement stated as follows: "The question of interchangeability of sound films made by the Photophone process with those made by other processes of sound recording on film, is settled." The statement by Mr. David Sarnoff, given out August 7, is as follows:

"As a convenience to exhibitors and with a view of obtaining complete interchangeability of sound films made by the Movietone and the Photophone processes, RCA Photophone has now adopted a sound track 80 mils in width, but which retains the Photophone method of recording. Tests made in studios and theatres with a variety of sound motion picture subjects prove conclusively that Photophone films not only play interchangeably on Movietone projectors but also give normal and satisfactory speech and musical quality perfectly synchronized. The 80 mil Photophone sound track requires no modification whatever of the Movietone sound projector; neither is the operating procedure of Movietone changed in any way.

"I know of no reason, technical or otherwise, why sound films recorded by the Photophone process cannot be satisfactorily played on either Photophone or Movietone machines installed in theatres. Also, the Photophone Company has no objection to sound films recorded by the Movietone process being played on Photophone machines installed in theatres."

In other words, Mr. Sarnoff says that his company has no objections if an exhibitor should show over his Photophone talking pictures made by other processes; and as Western Electric has not issued any statement saying that it will not permit its films to be shown over other instruments than of its own make, the matter of interchangeability is settled definitely.

The settling of this problem will, no doubt, have a salutary effect upon the business, for it will make it possible for exhibitors to use any kind of sound film on their instrument. It is also possible that this interchangeability applies to all instruments, no matter by what concern made. But this is a matter about which an exhibitor will have to ask his lawyer.

Supply of Talking Picture Service

The next question that must be settled is that of the supply of service. Warner Bros., the pioneers in the talking picture field, are able to supply a full line of talking picture service. Next to Warner Bros. comes Fox; Fox, too, has done pioneering work, on license obtained from Western Electric. Other producers that have closed an agreement with Western Electric are: Paramount, Metro-Goldwyn-Mayer, United Artists, First National, Universal, Hal Roach and Christie. So an exhibitor that uses the Western Electric combination disc and film instrument is assured of an uninterrupted supply of talking picture service, short subjects as well as features.

What is the situation with the Photophone instrument?

FBO (their break with RCA as reported in the trade papers is inaccurate), Pathe, Sennett and Tiffany-Stahl have already tied up with the RCA Photophone Company. Columbia also may tie up with them. I have also been informed on good authority that RCA will soon be producing short subjects as well as features themselves. Their object will be to carry on experimental work by producing; also to assure the users of their instruments of a service.

(Continued on last page)

"The Terror"—All-Talking Vitaphone Special

(Warner Bros., Nov. 20; 7,774 ft.; 90 to 110 min.)

This is the second Warner Bros. all-talking picture that has been released so far, the first one being "Lights of New York"; but there is as much difference between the two pictures as there is between day and night. "Lights of New York" is a piece of junk, in spite of the fact that it is drawing big crowds, (being a novelty it couldn't help but draw), whereas "The Terror" is an honest-to-goodness melodrama. It is, in fact, Griffith's "One Exciting Night," United Artists' "The Bat," and Universal's "The Cat and the Canary,"—all in one. The picture is thrilling in itself; but the sound effects as well as the talking of the characters add greatly to the suspense as well as to the other entertaining qualities. The scenes that show the characters (Louise Fazenda and May McAvoy) screaming, their screams being heard, give the spectator a thrill that the silent action alone could not give him, at least not to the same degree. The picture is full of suspense all the way through, this being caused by the mystery that surrounds the identity of the terrible murderer and by the fear lest the characters with whom the spectator sympathizes suffer some calamity. It is the kind of story that sends chills down one's spine. Comedy is not lacking, either; most of it is caused by that fine actor, Edward Everett Horton. But no little of it is contributed by Mr. John Miljan; every time some weird thing happens he takes it upon himself to tell the other characters by starting with a "This reminds me of. . .," of some mysterious murders that had taken place years before. The spectator comes to know that every time he will open his mouth he will tell some weird murder story, the kind that put a fright into the hearts of the other characters. As a result, everybody laughs. Miss Fazenda, too, contributes considerable comedy with her fine acting. Miss McAvoy is excellent as the heroine; her voice registers better in this picture than it did in "The Lion and the Mouse." The stage experience Alec B. Francis has had now tells; it comes in handy not only in the acting but also in the talking. Mathew Betz, Holmes Herbert, Joseph Girrard, and Frank Austin are in the cast.

The plot has been founded on the play by Edgar Wallace, and deals with the efforts of the authorities to learn the identity of a murderer, who mutilated his victims horribly. They succeed; a Scotland Yard operative, posing as a simple-minded golf player, enters the heroine's father's house and makes himself at home, unraveling the mystery. He wins the heroine as a wife.

It should please everywhere; but its value without the talk is, in my opinion, about twenty per cent: of the value with the talk.

"Beware of Blondes"—with Matt Moore, Dorothy Revier, and Roy d'Arcy

(Columbia; July 1, 5,649 ft., 65 to 87 min.)

Not a bad mystery drama. The opening scenes unfold in a rather thrilling way when a jewelry store robbery is prevented by the hero (Matt Moore). As a reward, he is given a trip to Honolulu to take a celebrated emerald. Being warned against blondes, he is suspicious of every one he meets on board the ship until the heroine (Dorothy Revier) has a thief arrested for coming into her cabin and tells the hero she is a detective. They fall in love with each other but the heroine, pretending to be working hand in hand with "French Harry" (Roy d'Arcy) with a gang of crooks, has to dupe the hero and capture the gem. The spectator is lead to believe that she is the real crook until the hero, having traced the crooks, when they are bidding against a fence for the jewel, discovers that she is as she said she was—a Protective Association Detective. He learns that the real gem had been sent to the right party and the crooks were fighting over a fake. There are no humorous situations but Mr. d'Arcy is good as the suave crook that makes love to the heroine, thinking she is "Blonde Mary" the crook. Matt Moore is good as the sap hero, who is almost afraid of his shadow, in his efforts to shake off the blondes, which were so numerous on board. Dorothy Revier is quite good as the blonde, making love to the hero to learn the whereabouts of the gem and leading the crooks on to believe that she was in league with them.

No author is credited with the story which was directed by George B. Seitz. But it is a substitution. See Analysis in issue of August 11.

"Four Walls"—with John Gilbert

(Metro-Gold-Mayer, Aug. 11; 6,620 ft.; 76 to 94 min.)

It seems as if John Gilbert has been sacrificed in this picture. There isn't much to the story. He is presented as an underworld character, who gives up the old gang and determines to go straight. There isn't much sympathy to such a part by its very nature, but this time it is not helped any because the hero is not shown doing any worthwhile things. There are thrills, caused by the sight of the hero going into the old haunts for the sake of the heroine, whom he loved, and being confronted by the new leader of his own gang. The shooting affair, during which the hero takes the heroine in his arms and escapes to the roof, is pretty thrilling, too. Suspensive is the situation where the detective calls on the hero's home to interrogate him as to the cause of the death of the gang leader. Miss Carmel Myers awakens some sympathy when she tells the detective a white lie to divert his suspicions from the hero. Mr. Gilbert does good work. So does Miss Crawford and the other players in the cast, among whom are Vera Gordon, Robert Emmet O'Connor, Louis Natheau and Jack Byron. William Nigh has directed it.

The original title of this picture was given in some Work Sheets as "None But the Brave," and its identification number 835. It was promised that it would be founded on Ludwig Wolff's novel, "War in the Dark. The finished product ("Four Walls"), however, has been founded on the stage play by George Abbott and Dana Burnett. Consequently, it is a story substitution.

"The Scarlet Lady"—with Lya de Putti, Don Alvarado, and Warner Orland

(Columbia, Aug. 1; 6,575 ft.; 76 to 94 min.)

If Fox can assert that "The Red Dance" is a special, Columbia has a better right to call "The Scarlet Lady" a special, for, from the point of view of general appeal, "The Scarlet Lady" is the better of the two. But neither is a special. "The Scarlet Lady" is a good picture, and should give good satisfaction if shown at regular prices of admission. But it does not deserve an increase in the admission prices any more than does "The Red Dance."

It is a story that unfolds in Russia, in the days preceding the revolution, and shows the hero, member of the Russian aristocracy, fall in love with the heroine, member of a revolutionary organization. She was seeking information from him. Soon she falls in love with him, too, and tries to protect him from the evil designs of the leader of their organization. The revolution takes place and it is decided to put the hero to death, but the heroine helps save him. The two escape into Austria, where they marry.

There are a few thrills and the spectator is held in pretty good suspense in some of the situations. The production end is good, Mr. Allan Crossland having handled it with skill. The acting of the principals is good. Otto Mathieson and John Peters are in the cast. Bess Meredyth wrote the story.

Its value to you should depend on the worth of the stars.

"The Speed Classic"—with Rex Lease and Mildred Harris

(Excellent-Reg., July 1; 4,535 ft.; 52 to 64 min)

Only a fair program picture. There are some mildly amusing situations, such as the one in the Tia Juana jail where the hero is thrown by the burly generalissimo for passing supposedly worthless checks, and the one of his escape. But the story is familiar and weak. It revolves around the son of a millionaire (hero), who is a speed maniac. He is in love with the heroine (Mildred Harris), who refuses to marry him because he will not promise her to keep out of automobile races. Desperate, he goes to Tia Juana, gambles and has a glorious time when his mechanic at the request of the heroine goes in search of him, when she finds out that the hero really loves her very much. There is a race against time and gasoline to get to the track in time. And of course the familiar though not very thrilling automobile race occurs which the hero wins. He also wins the girl. His rival both for the heroine and in the race is De Malpa, the celebrated racer.

The picture was directed by Bruce Mitchell, from the story "They're Off," to which no author is credited. Others in the cast are Mitchell Lewis, Otis Harlan and Helene Jerome Eddy as the secretary, who fell in love with the hero, instead of keeping him out of mischief as she was employed to.

"Out of the Ruins"—with Richard Barthlemess

(First National, Aug. 19; 6,100 ft.; 70 to 87 min.)

Very good! It has strong heart interest. In some of the situations the heart interest is so strong that picture-goers, particularly women, will hardly be able to restrain their emotions. This is effected not only by a pretty good story, but also by excellent acting on the part of both Mr. Barthlemess and Miss Nixon. The two make the love affair as realistic as any love affair that has been seen on the screen for sometime. They are shown as loving each other with all their heart, and fearing lest they be separated. The action unfolds in Paris, during the world war, and presents a handsome lieutenant (hero) of the French army meeting a beautiful girl (heroine). He was in Paris on a furlough. Little did he realize that the girl was his chum's sister, until the brother, who acted as if his sister was a stranger to him and as if he himself had been struck by her beauty, reveals the secret to him. He first pretends that he made love to her, just to tease the hero, who wanted an introduction to the "stranger." The hero and the heroine's brother are recalled because of the impending big German "push." While the armies lie inactive, the hero receives a letter from the heroine telling him that her parents were trying to force her to marry a profiteer. The hero is denied leave of absence and he deserts. He reaches the heroine and they hide in the attic of the hero's mother's home. But the sight of the maimed and mutilated soldiers returning from the front so move the hero that he goes back and presents himself to his captain. He is court-martialed and sentenced to be shot. After the armistice the heroine sees the hero and thinking that she had seen his ghost screams. But soon it comes to light that it was not the hero's ghost but his original self; he tells the heroine's blinded brother that his own men, who worshipped him, had not shot him; they merely wounded him, and he was found by the Germans, who sent him to a prison camp, and liberated him after the war ended. Hero and heroine embrace each other full of happiness.

The plot has been founded on a story by Sir Phillip Gibbs. The picture has been directed well by John Francis Dillon. Robert Frazer takes the part of the brother. Emile Chautard is the heroine's father and Eugene Palette the profiteer.

It should please everywhere.

"The First Kiss"—with Gary Cooper and Fay Wray

(Paramount, August 25; 7,640 ft.; 88 to 109 min.)

Good! The first half is interesting the second half, besides being interesting, is also appealing to the emotions. This is brought about by the sight of a brother (hero), refusing to prevent a heavy sentence for stealing when he could do so by bringing his three brothers as witnesses; he had stolen in order to give them an education, just as he promised he would; he had found his grandfather dead, and there was no other way for him to obtain the money. The scenes in the court room where the heroine takes the stand and tells the judge about the hero's past life—that he had sacrificed everything for his brothers, that he had even sold the dream ship he had promised to build for her in order for him to pay back the money he had stolen for his brother's are moving. The scenes later on where his three brothers, whom he had helped go through the college, standing before the judge and pleading for mercy for their brother, telling the court that it was they who were really guilty, too, are moving. The love affair between Miss Wray and Mr. Cooper is charming; Miss Wray, in particular, awakens warm sympathy by the loyalty she had shown toward the hero, whom she did not abandon when she learned what he had done. The theme is a little dangerous in that it attempts to justify an unlawful act, but it has been handled so well that the moral conveyed is wholesome. Leslie Fenton, Lane Chandler, Paul Fix, Malcolm Williams, and Monroe Owsley are in the cast. The plot has been founded on Tristan Tupper's novel, "Four Brothers." It has been directed skillfully by Rowland V. Lee.

"The Wright Idea"—with Johnny Hines

(First National; Aug. 6.; 6,225 ft.; 72 to 88 min.)

Not a bad comedy. It has a number of laughs scattered throughout with a nice love story interwoven. The hero (Johnny Hines) invents a blotterless and luminous ink which he tries to market. Because he had rescued a lunatic, who had taken him for a drive in a police depart-

ment car, where he meets the heroine (Louise Lorraine) through a collision with her car, and because he accepts as a reward a yacht which the lunatic claimed he owned, he gets into many difficulties. A bond is stolen from the heroine's purse and although she suspects the hero, she does not accuse him of the theft because she is in love with him; and to vindicate him, she has a blundering detective shadow him. The scenes in her office where she permits the hero to receive the men who were interested in his invention are amusing in that he appears to be a very wealthy man, the office being well furnished. There are many amusing scenes on board the yacht. The leader of the crew, which manned the yacht, was the real crook. They were all bootleggers, trying to get beyond the three-mile limit. Another amusing scene is when the heroine sends in an actor to bid against the manufacturer, who had come on board to further discuss the terms. Thinking the whole thing a hoax, none of them buys it. And when the radio announces that the yacht was reported stolen, the crew puts out the lights and the hero, realizing that he had been duped, fights the crew in the dark, doing much running around. He had succeeded in writing the word "HELP" on the side of the ship with his luminous ink. This helps the police and the owner to find them.

Louise Lorraine is pleasing as the heroine. Fred Kelsey contributes the comedy as the detective who always caught the wrong man. Edmund Breese, Walter James and Henry Barrows are in the cast also. The picture was directed by Charles Hines from a story by Jack Townley.

Facts About Talking Pictures

(Continued from other side)

The price of the instrument will, as I understand, include two simplex machines (Western Electric does not furnish moving picture machines).

Originally the sound attachment was put before the machine head; but RCA has made changes and put the sound slit after the head, in the same position as it is in the Movietone. In this manner, a Photophone instrument can show a film made by the Movietone process, just as will a Movietone be able to show a film made by the Photophone process. I am informed reliably that RCA, too, are fitting their instruments with dual turntables, so that also pictures of the disc type of reproducing sound may be shown. The turntables will be ready about November 1. About \$3,000 additional will be charged. Photophone, Inc., is working also on separate sound heads, to fit either a Simplex, or a Powers, or a Motiograph machine. These will fit on the machine the exhibitor already has. They will be ready for delivery about December 1. A set of sound projectors, consisting of four cones, will be furnished with these heads, together with the amplifiers and whatever is needed. While the outfit will be small, its quality will be guaranteed to come up to the standard of the big instruments. The object of the RCA Photophone executives is to manufacture something that will be within the reach of the small exhibitor. The price has not yet been definitely determined; but it will be soon.

These instruments will not be sold; they will be only leased, for a term of ten years. What they will do with these instruments after the lease expires the Photophone executives have not yet determined. But I have learned on good authority that any improvements made on the instruments during the terms of the lease will be put on the instruments that have already been sold or will be sold to the exhibitors.

In addition to the regular talking pictures instrument, RCA Photophone, Inc., is busy on a non-synchronous device, which will sell around \$850. It will be fitted with the regular sound projectors, of four cones. (It has not yet been determined whether this instrument will be sold outright or only leased, as is the case with the talking instrument.) By aid of this instrument an exhibitor will be able to score his own pictures. The regular Victor records, used on the Western Electric instrument, will be used also with this instrument. The Victor Phonograph Company's cue sheet can be used. The instruments will be ready in quantity about January 1.

Music Tax

The question of royalties, charged by the American Association of Composers, Authors and Publishers to those that play music belonging to its members, irrespective of whether it is on a sheet, on a record, or on the film itself, remains exactly as it was before.

Next week: Cost of operation; cost of film, and other relevant matters.

I understand that they will synchronize pictures made also by independent producers if such pictures can come up to a certain standard of quality. So an exhibitor is safe, no matter whether he installs the one type of instrument or the other.

Prices

Let us now give the prices of each of the instruments offered by the two major companies:

Western Electric

Western Electric manufactures both kinds of instruments, the disc (Vitaphone) and the film (Movietone) types. These instruments are sold by Electrical Research Products, Inc., a subsidiary of Western Electric, and its address is 250 West 57th Street, New York City.

The following are the prices this company charges for its basic instruments: \$8,500 for the 2S type, for theatres that have fewer than 1,000 seats; \$12,500 for its 2SX type for theatres that have anywhere from 1,000 to 1,750 seats; and \$17,000 for its 1S type for theatres of more than 1,750 seats. These prices are for either the disc or the film type.

If an exhibitor should desire to have an attachment to show also pictures in which the sound is recorded on the film, \$2,000 are added to the price of each class. When an exhibitor wants a megaphone attachment, so that he may be able to announce his coming attractions or other events from his office, he is charged \$300 additional. There is also a \$500 charge if he should want to have a non-synchronous device, which is sold also separately, so that an exhibitor can accompany his pictures by phonograph record music.

The total charge for these extra attachments is \$2,800. This makes the price for the complete instrument for the three classes of houses as follows:

2S (for fewer than 1,000 seats).....	\$11,300
2SX (for 1,000 to 1,750 seats).....	15,300
1S (for more than 1,750 seats).....	19,800

For the non-synchronous device, Electrical Research Products charges as follows:

\$3,500 for theatres that have less than 1,000 seats; \$7,500 for theatres that have anywhere from 1,000 to 1,750 seats; and \$12,000 for theatres of over 1,750 seating capacity. When an exhibitor eventually decides to install a synchronizing device, \$3,000 credit is given on the \$3,500 instrument, \$7,000 on the \$7,500, and \$11,500 on the \$12,000 instrument, for the reason that, outside of the box containing the turntables for the disc records, everything is the same in the talking instruments, and therefore no other installation is required. (The sound projectors are the same.) In such an event the exhibitor is required to pay the difference between the price of his non-synchronous instrument and the price for the talking instrument, for the same class houses, plus \$500. This brings the total price (if also the film attachment is ordered), as already given in the table.

For the convenience of those of exhibitors that have bought or contemplate buying a non-synchronous instrument, the Victor Phonograph Company is cueing the pictures of the different producer-distributors, indicating the records by numbers. With a supply of about three hundred records, an exhibitor is able to cover any feature. The records have the same music on both sides, so that if one side should get scratched the other side may be used without any delay or inconvenience. There are two turntables to each non-synchronous instrument so that it is possible for the person that attends it to change records without interrupting the music. (I understand that these records are only leased.) These are good not only for the Western Electric type of non-synchronous instruments, but also for all other types.

Terms

The terms for the installation of a Western Electric talking picture instrument are as follows: 10% upon the signing of the contract (\$1,000 is the smallest sum accepted as a down payment), 15% upon completing the installation (by demand note), and the balance in 104 weekly payments, in addition to a weekly charge for engineering services, as well as a charge for interest and for insurance fee.

In the case of the 2S type, complete with Movietone attachment, with the non-synchronous device, and with the megaphone, the total price of which is \$11,300, the

payments are as follows: \$1,130 down, \$1,695 (by demand note) upon completing the installation, and \$122.80 weekly for 104 weeks. This \$122.80 includes \$29.35 for maintenance (engineering services) and interest on the money, as well as insurance fee.

On the 2SX type, the price of which is \$12,500, and complete with Movietone attachment, with a non-synchronous cabinet and a megaphone attachment, \$15,300, the down payment is \$1,530; upon completing the installation, \$2,295 (by demand note), and \$11,475 in 104 weekly payments of \$169.80 each. In the weekly payments are included, as in the other class instruments, the interest on the money due, insurance fee, and \$43.75 for maintenance.

On the 1S type, the basic price of which is \$17,000, and with the attachments \$19,800, the down payment is \$1,980; the payment after the installation has been completed is \$2,970 (by demand note), and \$221.80 a week for 104 weeks for the balance, which is \$14,810. This weekly sum includes amortization, as in the two other classes of instruments, interest on the money due, insurance fee, and \$59.50 for engineering services.

On the non-synchronous device, the payments are similar in all three classifications—10% down, 15% (by demand note) upon completing the installation, and the balance in 104 weekly payments, which are: \$38.50 for the \$3,500 instrument; \$82.50 for the \$7,500 instrument, and \$136.00 for the \$12,000 instrument. These payments include, as in the case of the synchronous instrument, amortization, interest on the money due, insurance fee, and engineering services.

(NOTE: Originally the charges for engineering services were, \$40, \$60, and \$80 respectively for the three classes of theatres. But they were reduced last May 10%, and recently they were reduced again.)

None of the Western Electric instruments, synchronous or non-synchronous, disc or film type, are sold; they are leased for a term of ten years. At the end of the ten-year term they still remain the property of Western Electric Company. Its executives have not yet decided what shall be done with these instruments at the end of the ten years.

Photophone

RCA Photophone, Inc., whose address is 411 Fifth Avenue, New York City, has four different prices for four different classes of theatres, the class a theatre belonging to depending on seating capacity. Class D theatres have fewer than 750 seats; class C, fewer than 1,500 and more than 750; class B, fewer than 3,000 and more than 1,500; class A, more than 3,000.

The following are the prices:

Class D	\$ 8,500
Class C	11,000
Class B	13,500
Class A	17,000

The terms for payment are for one, two or three years. Twenty-five per cent is received as down payment, and the balance in equal monthly payments.

In the one-year term contract, no charge is made for interest. In the two year term contract, \$750 is charged for the class D; \$1,000 for the class C; \$1,000 for the class B; and \$1,500 for the class A.

In the three-year term, \$1,250 is charged for the class D; \$2,000 for class C; \$2,000 for class B; and \$3,000 for class A.

On the two-year term, the prices become as follows: class D, \$9,250; class C, \$12,000; class B, \$14,500; class A, \$18,500.

On the three-year term, the prices become as follows: class D, \$9,750; class C, \$13,000; class B, \$15,500; class A, \$20,000.

The monthly payments start one month after the installation. The exhibitor is required to sign notes. The prices are subject to change without notice.

This price does not include service charge; this charge will be separate, but it will not in any event be as big as that of Western Electric. RCA Photophone, Inc., will have several theatres in one locality grouped together and taken care of by one man. In the case of the small instruments, it is hardly possible that a company man will be required to attend to them; any one with a radio experience will be able to adjust anything that may go wrong with it. The insurance fee is not included in the purchase price, either; this has to be paid for by the exhibitor himself.

(Continued on back of this page)

IN TWO SECTIONS—SECTION TWO

HARRISON'S REPORTS

SATURDAY, AUGUST 25, 1928

Vol. X

(Partial Index—No. 4—Pages 105 to 126)

No. 34

Actress, The—Metro-Goldwyn	114
Beau Broadway—Metro-Goldwyn-Mayer	123
Big Killing, The—Paramount	107
Cavalier, The—Tiffany-Stahl	126
Cossacks, The—Metro-Goldwyn	106
Cowboy Kid, The—Fox	131
Detectives—Metro-Goldwyn	115
Diamond Handcuffs—Metro-Goldwyn	110
Domestic Troubles—Warner Bros.	122
Fleetwing—Fox	111
Forbidden Hours—Metro-Goldwyn-Mayer	119
Foreign Legion, The—Univ.-Jewel	106
Forgotten Faces—Paramount	126
Gang War—F B O	118
Golf Widows—Columbia	110
Green Grass Widows—Tiffany-Stahl	118
Grip of the Yukon—Univ.-Jewel	115
Hali a Bride—Paramount	114
Head Man, The—First National	131
Heart to Heart—First National	131
Hot News—Paramount	119
Into No Man's Land—Excellent-Reg.	118
Jazz Mad—Univ.-Jewel	110
Just Married—Paramount	118
Ladies of the Night Club—Tiffany-Stahl	115
Lilac Time—First National	130
Lights of New York—Warner Bros.	110
Lost in the Arctic—Fox	123
Loves of an Actress—Paramount	122
Mademoiselle From Armentiers—Metro-Goldwyn....	106
Magnificent Flirt, The—Paramount	106
Making the Varsity—Excellent-Reg.	123
Michigan Kid, The—Univ.-Jewel	107
Modern Mothers—Columbia	106
Mysterious Lady, The—Metro-Goldwyn	127
Name the Woman—Columbia	111
None But the Brave—Fox	126
Powder My Back—Warner Bros.	127
Prowlers of the Sea—Tiffany-Stahl	118
Racket, The—Paramount	111
Ransom—Columbia	127
Red Dance, The—Fox	107
Road House—Fox	122
Sally of the Scandals—F B O	111
Say It With Sables—Columbia	131
Skirts—Metro-Goldwyn-Mayer (British)....	123
Stocks and Blondes—F B O	130
Stormy Waters—Tiffany-Stahl	107
Telling the World—Metro-Goldwyn	114
Undressed—Sterling-Reg.	122
United States Smith—Gotham-Reg.	119
Vanishing Pioneer, The—Paramount	130
Warming Up—Paramount	114
Way of the Strong, The—Columbia	130
White Shadows in the South Seas—Metro-Goldwyn ..	126

FIRST NATIONAL EXHIBITION VALUES

546 Shepherd of the Hills—Jan. 1	Special
542 Helen of Troy—Jan. 8	Special
446 French Dressing—Jan. 15	900,000B
459 Sailors' Wives—Jan. 22	800,000B
437 The Noose—Jan. 29	1,300,000B
445 The Whip Woman—Feb. 5	900,000B
426 The Chaser—Feb. 12	1,000,000B
464 The Wagon Show—Feb. 19	700,000B
455 Flying Romeos—Feb. 26	1,100,000B
447 Mad Hour—March 4	900,000B
440 Burning Daylight—March 11	950,000B
434 Heart of a Follies Girl—March 18	1,100,000B
448 The Big Noise—March 25	900,000B
451 Ladies' Night—April 1	1,000,000B

436 Little Shepherd of Kingdom Come—April 8	1,300,000B
461 Chinatown Charlie—April 15	800,000B
468 Canyon of Adventure—April 22	700,000B
444 Harold Teen—April 29	900,000B
449 Lady Be Good—May 6	900,000B
456 Vamping Venus—May 13	1,100,000B
435 The Yellow Lily—May 20	1,100,000B
442 The Hawk's Nest—May 27	950,000B
467 The Upland Rider—June 3	700,000B
460 Three Ring Marriage—June 10	800,000B
438 Wheel of Chance—June 17 (Roulette)	1,300,000B
429 Happiness Ahead—June 24	1,300,000B
466 Code of the Scarlet—July 1	700,000B
539 Good-Bye Kiss—July 8	Special
454 The Head Man—July 15	1,100,000B
458 Heart to Heart—July 22	800,000B
513 The Strange Case of Capt. Ramper—July 29	900,000B
543 The Barker—Postponed	
427 Heart Tr'ble (Here Comes Band)—Aug. 12	1,000,000B

FEATURE RELEASE SCHEDULE

(NOTE: Notice that hereafter all synchronized subjects will be indicated on the list as follows: "S" means that the subject has been synchronized, but only with music—in no part of the film do the characters talk; "PT" means that the characters talk in some of the situations, and that the remainder of the film is synchronized with music; "AT" means that the characters talk all the way through.)

Columbia Features

Beware of Blondes—M. Moore-D. Revier	July 1
Say It with Sables—F. Bushman-H. Chadwick	July 13
Virgin Lips—O. Borden-J. Boles (Reset)	July 25
The Scarlet Lady—Lya de Putti-Don Alvarado	Aug. 1
Court-Martial—Jack Holt-B. Compson	Aug. 12
Runaway Girls—Shirley Mason-A. Rankin	Aug. 25
Street of Illusion—V. Valli-I. Keith	Sept. 3
Simmer's Parade—D. Revier-V. Varconi	Sept. 14
Submarines—Jack Holt-R. Graves-D. Revier	Sept. 23

Excellent Features

Making the Varsity—Lease-Hulette (reset)	July 15
Speed Classic—Lease-Harris (reset)	July 31
Manhattan Knights—Bedford-Miller (reset)	Aug. 15
Life's Crossroads—G. Hulette-Wm. Conklin	Aug. 25
Power of the Press	Sept. 10
Dream Melody	Sept. 20
Confessions of a Wife	Sept. 30

F B O Features

8246 The Fightin' Redhead—Buzz Barton	July 1
8237 The Trail of Courage—Bob Steele	July 8
8219 Sally of the Scandals—B. Love-A. Forrest	July 15
8247 The Bantam Cowboy—Buzz Barton	Aug. 12
9221 Terror Mountain—Tom Tyler	Aug. 19
9211 The Perfect Crime (PT)—C. Brooks	Aug. 19
9201 Danger Street—W. Baxter-M. Sleeper	Aug. 26
9233 Captain Careless—Bob Steele	Aug. 26
9291 Dog Law—Ranger	Sept. 2
9212 Taxi 13 (PT)—Conklin-Sleeper	Sept. 2
9202 Stocks and Blondes—Logan-Gallagher	Sept. 9
9203 Charge of the Gauchos—Logan-Bushman	Sept. 16
9241 The Young Whirlwind—Buzz Barton	Sept. 16
9213 Hit of the Show (PT)—Olmstead-Brown	Sept. 23

Fox Features

Painted Post—Tom Mix (Reset)	July 1
Road House—M. Alba-M. Burke (Reset)	July 22
None But the Brave—Morton-Phipps (Reset)	Aug. 5
Street Angel (S)—Gaynor-Farrell (reset)	Aug. 19
The River Pirate (S)—McLaglen-Moran (reset)	Aug. 26
Four Sons (S)—Mann-Collyer-Hall (reset)	Sept. 2
Fazil (S)—Farrell-Nissen (reset)	Sept. 9
Win That Girl (S)—Rollins-Carol	Sept. 16
Plastered in Paris (S)—Cohen-Pennick	Sept. 23
The Air Circus (S)—Rollins-Carol	Sept. 30
Making the Grade (S)—Lowe-Moran	Oct. 7
Dry Martini (S)—Astor-Moore-Gran	Oct. 14

Gotham Features

United States Smith—E. Gribbon-L. Lee (reset).....	July 1
Midnight Life (Man Higher Up)—Bushman.....	Aug. 15
Head of the Family—V. Corbin.....	Sept. 15
The River Woman—L. Barrymore-J. Logan.....	Aug. 22

Metro-Goldwyn-Mayer Features

845 The Adventurer—Tim McCoy-D. Sebastian.....	July 14
No Release	July 21
No Release	July 28
833 Mysterious Lady—Garbo ("War in Dark").....	Aug. 4
835 Four Walls—Gilbert-Crawford	Aug. 11
829 The Cardboard Lover—Davies-Goudal	Aug. 25
907 Our Dancing Daughters (S) Crawford-Brown.....	Sept. 1
914 Excess Baggage (S)—Wm. Haines-J. Dunn	Sept. 8
938 While the City Sleeps (S)—Chaney-A. Page.....	Sept. 15
942 Beyond the Sierras—Tim McCoy	Sept. 15
918 The Camera Man—Buster Keaton—M. Day.....	Sept. 22
902 Beau Broadway—Lew Cody—A. Pringle	Sept. 29

Paramount Features

2729 Hot News—B. Daniels-N. Hamilton.....	July 14
2775 Kit Carson—Fred Thomson	July 21
2853 The Wedding March—Von Stroheim.....	Postponed
2724 The Mating Call—Thomas Meighan.....	July 21
2801 Warming Up (S)—Dix-Arthur (reset).....	Aug. 4
2874 Forgotten Faces—Brook-Brian (reset).....	Aug. 11
2819 Loves of an Actress (S) Negri (reset).....	Aug. 18
2835 Just Married—Hall-Taylor (reset).....	Aug. 18
2870 The Water Hole—J. Holt-Carroll (reset).....	Aug. 25
2829 Sawdust Paradise (S)—Ralston-Bosworth.....	Sept. 1
2855 The Fleet's In—Clara Bow.....	Sept. 15
2862 Beggars of Life (S)—Beery (reset).....	Sept. 22
2839 Model from Montmartre—Petrovich (reset).....	Sept. 22
2804 The First Kiss—Cooper-Wray (reset).....	Aug. 25
2852 The Patriot (S)—E. Jannings-Vidor.....	Sept. 1
2814 Varsity (S)—Rogers-Conklin	Sept. 29

Pathe Features

9522 Tenth Avenue—Varconi-Schildkraut-Haver.....	Aug. 5
9520 The Cop—William Boyd	Aug. 19
9521 The Red Mark	Aug. 26
9544 Man-Made Women—L. Joy-H. B. Warner.....	Sept. 9
9512 Love Over Night—Rod La Rocque.....	Sept. 16
9519 Craig's Wife—I. Rich.....	Sept. 23
9511 The King of Kings—H. B. Warner.....	Sept. 23

Rayart Features

Mystery Valley—B. Roosevelt	July —
The Divine Sinner—V. Reynolds-E. Hilliard.....	July —
Man From Headquarters—E. Roberts-C. Keefe.....	Aug. —
Sweet Sixteen—Helen Foster-Gertrude Olmsted.....	Aug. —
The City of Purple Dreams—Fraser-Bedford.....	Sept. —
Sisters of Eve—B. Blythe-A. Stewart	Sept. —

Tiffany Features

Lingerie—A. White—M. McGregor (Reset).....	July 1
The Grain of Dust—Cortez-Windsor (Reset).....	July 10
The Albany Night Boat—Olive Borden.....	July 20
Beautiful But Dumb—Patsy Ruth Miller.....	Aug. 1
Domestic Relations—Claire Windsor	Aug. 15
The Naughty Duchess—Southern-Warner.....	Sept. 1
The Toilers (SM)—Fairbanks, Jr.—Ralston.....	Sept. 10
The Power of Silence—B. Bennett-J. Westwood.....	Sept. 15

United Artists Features

Tempest (S)—Barrymore-Horn (reset).....	Aug. 25
Two Lovers (S)—Colman-Banky (reset).....	Sept. 7
Woman Disputed (S)—N. Talmadge.....	Oct. 20
Battle of the Sexes (S)—Hersholt-Haver.....	Oct. —
Revenge (S)—Dolores Del Rio.....	Nov. 13
Awakening, The (S)—Banky (song film).....	Nov. 17
Love Song (PT)—Boyd (song L. Velez).....	Nov. —
The Rescue (PT)—Colman-Damita	Nov. —
A Tale of Two Cities—(Withdrawn)	
Hell's Angels (S)—Lyon-Nissen	Roadshow

Universal Features

A5718 The Flyin' Cowboy—Hoot Gibson	July 1
A 357 Quick Triggers—F. Humes.....	July 15
Greased Lightning—Ted Wells	July 29
A5722 Riding for Fame—Hoot Gibson	Aug. 19
A5730 Uncle Tom's Cabin (S)—All Star	Sept. 2
A5732 Home, James—L. LaPlante	Sept. 2
A5734 Anybody Here Seen Kelly—T. Moore.....	Sept. 9

A5735 The Night Bird—Denny	Sept. 16
A359 Guardians of the Wild—Rex-J. Perrin.....	Sept. 16
A5733 Foreign Legion—L. Stone-N. Kerry.....	Sept. 23
A5744 Grip of the Yukon—Marlowe-Bushman.....	Sept. 30
A360 The Cloud Dodger—Al. Wilson	Sept. 30

Warner Bros. Features

218 State Street Sadie (PT)—M. Loy-C. Nagel.....	Aug. 25
228 Women They Talk About (PT)—Rich.....	Sept. 8
227 Caught in the Fog (PT)—McAvoy-Nagel.....	Sept. 22

ONE AND TWO REEL COMEDIES**Educational—One Reel**

Felix the Cat in the Last Life	Aug. 5
He Tried to Please—Collins-Hutton.....	Aug. 12
Troubles Galore—Collins-Ruby McCoy.....	Aug. 26
Cook, Papa, Cook—Murdock-Hutton-Cameo.....	Sept. 9
Wife Trouble—Graves-Cameo	Sept. 23

Educational—Two Reels

Kid Hayseed—Big Boy-Juvenile	Aug. 5
Goofy Birds—Bowers	Aug. 12
Just Dandy—Drew-Mermaid	Aug. 19
Wedded Blisters—Lupino-Boyd-Tuxedo.....	Aug. 26
Hot Luck—Big Boy-Juvenile	Sept. 2
Pirates Beware—Lupino Lane	Sept. 9
Girlies Behave—Drew-Ideal	Sept. 9
Call Your Shots—Al St. John-Mermaid.....	Sept. 16
Polar Perils—Monty Collins-Mermaid	Sept. 30

F B O—One Reel

9161 Curiosities	Sept. 26
------------------------	----------

F B O—Two Reels

Mickey's Babies—Mickey McGuire	Aug. 7
Joyful Days—Standard	Aug. 14
Jessie's James—Vaughn-Cooke	Aug. 26
The Wages of Synthetic—Vaughn-Cooke	Sept. 2
Mickey's Movies—Micky McGuire	Sept. 2
You Just Know She Dares 'Em—Vaughn-Cooke.....	Sept. 9
Horsefeathers—Barney Google-Davis-Hallum.....	Sept. 9
fooling Casper—Toots and Casper-Hill-Duncan.....	Sept. 16
The Arabian Fights—Vaughn-Cooke	Sept. 16
Ruth Is Stranger Than Fiction—Vaughn-Cooke.....	Sept. 23
The Sweet Buy and Buy—Vaughn-Cooke.....	Sept. 30
Mickey's Rivals—Mickey McGuire	Sept. 30

Fox—One Reel

The Lofty Andes.....	Aug. 5
Snowbound—Varieties	Aug. 19
Neapolitan Days—Varieties	Sept. 2
Through the Aisles—Varieties	Sept. 16
Spanish Craftsmen—Varieties	Sept. 30

Fox—Two Reels

A Knight of Daze—Van Bibber	June 10
A Cow's Husband—Animal	June 24
Daisies Won't Tell—Imperial.....	July 8
His Favorite Wife—Van Bibber.....	July 22
The Elephant's Elbows—Animal	Aug. 5
Her Mother's Back—Imperial.....	Aug. 19

Metro-Goldwyn-Mayer—One Reel

A Happy Omen—Oddity.....	July 14
Nature's Wizardry—Oddity.....	July 28
The Eagle's Nest—Oddity	Aug. 18

Metro-Goldwyn-Mayer—Two Reels

Cleopatra—Events	July 7
Imagine My Embarrassment (S)—Chase	Sept. 1
Should Married Men Go Home—Laurel-Hardy.....	Sept. 8
That Night—All Star	Sept. 15
Growing Pains—Our Gang	Sept. 22
Victorious Defeat (S)—Events	Sept. 22
Is Everybody Happy?—Chase	Sept. 29

Paramount—One Reel

Koko's Catch—Inkwell Imps.....	July 7
News Reeling—Krazy Kat	Aug. 4
Koko's Chase—Inkwell Imps	Aug. 11
Baby Feud—Krazy Kat	Aug. 18
Koko Heaves Ho—Inkwell Imps	Aug. 25
Sea Sword—Krazy Kat	Sept. 1
Koko's Big Pull—Inkwell Imps	Sept. 8
No Title—Krazy Kat	Sept. 15
Koko Kleans Up—Inkwell Imps	Sept. 22
No Title—Krazy Kat	Sept. 29

Paramount—Two Reels

Walls Tell Tales—Stars & Authors (reset).....	Aug. 4
Dizzy Diver (S)—Dooley (reset)	Aug. 11
Hot Scotch (S)—MacDuff (reset)	Aug. 18
Stop Kidding (S)—Vernon (reset)	Aug. 25
Skating Home—Chorus Girl	Sept. 1
Two Masters—Stars & Authors (reset).....	Sept. 8
Vacation Waves (S)—Horton (set)	Sept. 15
The Sock Exchange (S)—Vernon (set)	Sept. 22
Oriental Hugs (S)—Dooley	Sept. 29

Pathe—Two Reels

The Girl From Nowhere—Sennett	Aug. 5
His Unlucky Night—Sennett	Aug. 12
Smith's Restaurant—Smith Family	Aug. 19
The Chicken—Sennett	Aug. 26
His Royal Slyness—Harold Lloyd (re-issue)....	Sept. 2
Taxi for Two—Sennett-J. Cooper	Sept. 2
Caught in the Kitchen—Sennett-B. Bevan	Sept. 9
A Dumb Waiter—Sennett-J. Burke	Sept. 16
The Campus Carmen—Sennett Girls	Sept. 23
Motor Boat Mamas—Sennett	Sept. 30

Universal—One Reel

Her Haunted Heritage—Hall-Highbrow.....	July 2
Tall Timber—Oswald Cartoon.....	July 9
Sandwiches and Tea—Drugstore	July 16
Sleigh Bells—Oswald Cartoons	July 23
The Trackless Trolley—Harold Highbrow.....	July 30
High Up—Oswald Cartoon (reset)	Aug. 6
King of Shebas—Drugstore (reset)	Aug. 13
Hot Dog—Oswald Cartoon (reset)	Aug. 20
A Hurry Up Marriage—Harold Highbrow (re.)....	Aug. 27
Sky Scraper—Oswald Cartoon	Sept. 3
Hollywood or Bust—Horace in Hollywood.....	Sept. 10

Universal—Two Reels

Newlyweds False Alarm—Jr. Jewels	July 2
Reel Life—Stern Bros.....	July 4
Cash Customers—Stern Bros.	July 11
Big Game George—Stern Bros.	July 18
Good Scout Buster—Stern Bros.	July 25
Broke Out—Stern Bros.	Aug. 1
Newlyweds' Anniversary—Jr. Jewel	Aug. 6
McGinis vs. Jones—Stern Bros.	Aug. 8
Busting Buster—Stern Bros.	Aug. 15
She's My Girl—Stern Bros.	Aug. 22
Husbands Won't Tell—Stern Bros.	Aug. 29
Newlyweds' Hard Luck—Jr. Jewel	Sept. 5
Rubber Necks—Stern Bros.	Sept. 12

SYNCHRONIZED SHORT SUBJECTS**Fox Movietone**

A short description of each of the Fox Movietone short releases to date:

1. Lindbergh take-off and reception in Washington. Picture shows historic take-off at Mitchell Field, L. I., reproducing the whirling of the motor and the shouts of approbation from the crowds. Then follows the reception and speeches in Washington, his meeting with Coolidge and politically great.
2. Gertrude Lawrence singing "I Don't Know," "Ranger Song," sung by J. Harold Murray, and "Spring Fever," a piano duet by the Rio Rita girls.
3. Voices of Italy. St. Peter's Vatican Choir singing sacred music. Medieval Latin Chants. Benito Mussolini, dictator of Italy and founder of the Fascisti movement, speaks in Italian and English of the bond between this country and his own.
4. American Legion in Paris. Speeches by Marshall Foch and General Pershing and the great parade down the Champs Elysee amid the cheers of former French comrades in arms.
5. Chic Sale in a characteristic comedy sketch entitled "They Are Coming to Get Me." He portrays an escaped lunatic who lands in the pulpit of a church and delivers the sermon of a tardy minister.
6. Raquel Meller appears in two Movietone shorts. In the first she sings "Flor de Mal" and "Corpus Christi Day," and in the second she sings "La Mujer del Torero" and "Noi de La Mare."
7. Winnie Lightner—songs. "Nagasaki Butterfly" and "Everybody Loves My Girl."
8. Ben Bernie's Orchestra plays the following: "A Lane in Spain," "Are You Going To Be Home" and "Scheherazade."
9. West Point Drill. Speech by Colonel March B. Stewart, superintendent of the Academy, followed by the clocklike drill and parade of the Cadets.
10. Kentucky Jubilee Choir singing "Old Kentucky Home" and "Swing Low, Sweet Chariot."
11. Nina Tarasova singing "There Once Were Happy Days."
12. Anatole Friedland's Ritz Revue, "On the Beach in Atlantic City."
13. "The Treasurer's Report," featuring Robert Benchley, the well known author of "Love Conquers All" and dramatic critic of *Life*. In this picture Benchley plays the part of a church treasurer. Benchley will also appear in "The Sex Life of the Polyp," an animal which has the same startling properties as the Amoeba—that of reproducing itself by separating into two

parts, which parts separate into two again, etc.

14. "The Hut," featuring Nina Tarasova and the Russian Cathedral Choir. A musical production.
15. Beatrice Lillie, comedienne, singing "Rambling Along the Highway" and "The Roses Have Made Me Remember."
16. "In a Music Shoppe," a musical production based on the life of the American composer, Stephen Collins Foster.
17. Pat Rooney, Marion Bent and Pat Rooney, 3rd, in a series of songs and dances typical of the Rooney family.
18. George Bernard Shaw, celebrated Irish playwright, in a short speech in which the gifted Shavian imitates Mussolini and makes a few pertinent remarks about the impression his readers get of him.
19. Richard Bonelli, leading baritone of the Chicago Civic Opera Company, singing the Prologue from "Pagliacci."
20. "The Family Picnic," with Kathleen Key and Raymond McKee. The first two-reel comedy to be made with full sound effects.
21. Clark and McCullough, celebrated stage comedians in a farce, "The Interview."
22. Ruby Keeler, dancer, does a tap dance showing the adaptability of this form of entertainment on the screen.
23. Joe Cook, star of "Rain or Shine," in a short sketch, "At the Ball Game."
24. Betty Compton, featured in the Broadway musical success, "Funny Face," in a series of dances.
25. "Four A. M.," with Marjorie Beebe, Sammy Cohen, Tyler Brooke, Ben Bard and Henry Armetta. A two reel comedy with full sound effects directed by William Conselman.
26. "Mystery Mansion," with Sumner Getchel, Toy Gallagher and Ford West, written and directed by Harry Delf.

HOW TO FIND THE AGE OF YOUR NEWSWEEKLY

The Newsweeklies of all the film concerns are not released at the same time in all zones. For instance, a News-weekly that is released in New York City on a certain day is not released in San Francisco, or in Seattle, or in Dallas, until three or four or five days later. The number of days that elapse between the time it is released in this zone and the time it is released in another zone depends on distance. Naturally the distributors deduct from the New York release dates the number of days a newsweekly is in transit.

In order for you to find the age of the particular news-weekly you use, first look in the New York release schedule, printed in every Blue Section. Then look in the Release-Day Chart, printed in the Blue Section of HARRISON'S REPORTS occasionally (one has been printed in this issue), and find the figure that tells you how many days the newsweekly has been in transit, so that you may add an equal number of days to the New York release date.

Suppose, for example, you want to find out how old is Metro-Goldwyn-Mayer Newsweekly No. 101, or the odd number, which was released in the New York zone on Wednesday, August 1. Look in the Odd Column of the Metro-Goldwyn-Mayer News in the Release Day Chart until you come to the line opposite the zone which serves you.

Let us say that you are in Denver, Colorado. Look in the Denver line and stop under the Odd Column of the Metro-Goldwyn-Mayer News. You will find that the release day given is Saturday, and the figure "3." This means that you must add three days to August 1, which is, as said, the New York release date for that number of the Metro-Goldwyn-Mayer News, or, August 4. In other words, Metro-Goldwyn-Mayer News No. 101, which was one day old in the New York City zone on Wednesday, August 1, was one day old in Denver on Saturday, August 4.

The age of all the other weeklies, in all the zones, can be determined by the same calculation. Where "o" is given, it means that the particular newsweekly was released in that zone on the same day and date as it was in the New York City zone.

Take a little trouble and figure the age of your news-weekly so that you may know whether you are getting it at the age you pay for or not. Last week a Western exhibitor asked me to determine the age of his Newsweekly and found out that, though his contract called for an age of thirteen days, he was getting it twenty-nine days old. The Release-Day Chart was compiled after much hard effort and a lot of thinking; it was done for the purpose of preventing any exchange from giving you a Newsweekly older than the age you had it contracted for. Why not take advantage of it?

ARE ANY OF YOUR COPIES MISSING?

Look through your files of HARRISON'S REPORTS and if you find any copies missing let us know and we shall be glad to send you duplicate copies, free of charge. You cannot tell when you will need the missing copies; so why not send for them now? Some of these days you may want to look up something and it may be printed in the copy that is missing. Think of what it might cost you! A little work and a little trouble now may save you much money later on.

CHART OF RELEASE DAYS FOR ALL NEWS WEEKLIES

International News			Pathe News		Fox News		Kinograms		Paramount News		M-G-M News	
Even Rel.	Odd Rel.		Odd Rel.	Even Rel.	Odd Rel.	Even Rel.	Odd Rel.	Even Rel.	Odd Rel.	Even Rel.	Even Rel.	Odd Rel.
Albany	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Wed. 0	Sat. 0	Sun. 1	Thur. 1	Sun. 1	Wed. 0	Sat. 0	Wed. 0
Atlanta	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Thur. 1	Sun. 1	Sun. 1	Thur. 1	Mon. 2	Thur. 1	Mon. 2	Thur. 1
Boston	Sun. 1	Wed. 0	Mon. 2	Thur. 1	Wed. 0	Sun. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Wed. 0
Buffalo	Sun. 1	Wed. 0	Sun. 1	Thur. 1	Wed. 0	Sun. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Butte	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Sat. 3	Tues. 3	—	—	Tue. 3	Sat. 3	Wed. 4	Sat. 3
Charleston	Mon. 2	Thur. 1	—	—	Thur. 1	Sun. 1	—	—	—	—	—	—
Charlotte	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Thur. 1	Sun. 1	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Mon. 2	Thur. 1
Chicago	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Wed. 0	Sun. 1	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Cincinnati	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Thur. 1	Sun. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1
Cleveland	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Thur. 1	Sun. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0
Columbus	—	—	—	—	—	—	—	—	Sun. 1	Thur. 1	—	—
Dallas	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Sat. 3	Wed. 4	Mon. 2	Sat. 3	Wed. 4	Sat. 3	Wed. 4	Sat. 3
Denver	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Sat. 3	Mon. 2	Mon. 2	Sat. 3	Wed. 4	Sat. 3	Wed. 4	Sat. 3
Des Moines	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Thur. 1	Sun. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sun. 1	Thur. 1
Detroit	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Thur. 1	Sun. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0
El Paso	—	—	—	—	Sun. 4	Wed. 4	—	—	—	—	—	—
Indianapolis	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Thur. 1	Sun. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Wed. 0
Jacksonville	Mon. 2	Thur. 1	—	—	Thur. 1	Mon. 2	—	—	Sun. 1	Thur. 1	—	—
Kansas City	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Thur. 1	Sun. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Los Angeles	Tue. 3	Sat. 3	Sat. 7	Sun. 4	Sun. 4	Wed. 4	Wed. 4	Sat. 3	Tue. 3	Sat. 3	Tues. 3	Sat. 3
Memphis	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Thur. 1	Mon. 2	—	—	Mon. 2	Thur. 1	Mon. 2	Thur. 1
Milwaukee	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Thur. 1	Sun. 1	Sun. 1	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Minneapolis	Sun. 1	Wed. 0	Sun. 1	Sat. 3	Wed. 0	Sun. 1	Sun. 1	Wed. 0	Sun. 1	Thur. 1	Sun. 1	Thur. 1
New Haven	Sun. 1	Wed. 0	Mon. 2	Thur. 1	Wed. 0	Sun. 1	Sun. 1	Wed. 0	Sat. 0	Thur. 1	Sat. 0	Wed. 0
New Orleans	Mon. 2	Thur. 1	Thur. 5	Fri. 2	Thur. 1	Mon. 2	Mon. 2	Fri. 2	Sun. 1	Thur. 1	Sun. 1	Thur. 1
NEW YORK	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Wed. 0	Sat. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
Oklahoma City	Sun. 1	Thur. 1	Wed. 4	Sun. 4	Sun. 4	Wed. 4	Sun. 1	Thur. 1	Wed. 4	Sat. 3	Sun. 1	Thur. 1
Omaha	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Thur. 1	Sun. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1
Peoria	—	—	—	—	—	—	—	—	Sun. 1	Thur. 1	—	—
Philadelphia	Sat. 0	Wed. 0	Mon. 2	Thur. 1	Wed. 0	Sat. 0	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Sat. 0	Wed. 0
Pittsburgh	Sun. 1	Thur. 1	Mon. 2	Thur. 1	Thur. 1	Mon. 2	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Sat. 0	Wed. 0
Portland, Ore.	Wed. 4	Sat. 3	Sat. 7	Mon. 5	Sat. 3	Wed. 4	—	—	Wed. 4	Sun. 4	Wed. 4	Sat. 3
Portland, Me.	Sun. 1	Thur. 1	—	—	—	—	—	—	Mon. 2	Thur. 1	—	—
St. Louis	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Wed. 0	Sat. 0	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Salt Lake City	Wed. 4	Sat. 3	Wed. 4	Sun. 4	Sat. 3	Wed. 4	Wed. 4	Sat. 3	Mon. 2	Fri. 2	Wed. 4	Sat. 3
San Antonio	—	—	—	—	—	—	—	—	Wed. 4	Sat. 3	—	—
San Francisco	Wed. 4	Sat. 3	Sat. 7	Sun. 4	Sat. 3	Wed. 4	Tue. 3	Sat. 3	Wed. 4	Sat. 3	Wed. 4	Sat. 3
Seattle	Wed. 4	Sat. 3	Mon. 2	Sat. 3	Sat. 3	Tues. 3	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Wed. 4	Sat. 3
Sioux Falls	Mon. 2	Thur. 1	—	—	Thur. 1	Mon. 2	—	—	Mon. 2	Thur. 1	—	—
Vancouver	Mon. 2	—	—	—	Wed. 0	—	—	—	—	—	—	—
Washington	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Thur. 1	Sun. 1	Sun. 1	Thur. 1	Mon. 2	Thur. 1	Sat. 0	Wed. 0
Wichita, Kans. ..	Mon. 2	Thur. 1	—	—	—	—	—	—	—	—	—	—
Wilkes Barre	—	—	—	—	—	—	—	—	Mon. 2	Thur. 1	—	—
Winnipeg	Mon. 2	—	—	—	Mon. 5	—	—	—	—	—	—	—

NEW YORK RELEASE DATES OF THE DIFFERENT NEWS WEEKLIES

Kinograms		Metro-Goldwyn-Mayer		Fox	
5422 Even Number..	Wednesday, Aug. 15	1 Odd Number ...	Wednesday, Aug. 15	93 Odd Number ..	Wednesday, Aug. 15
5423 Odd Number ...	Saturday, Aug. 18	2 Even Number	Saturday, Aug. 18	94 Even Number ...	Saturday, Aug. 18
5424 Even Number..	Wednesday, Aug. 22	3 Odd Number ...	Wednesday, Aug. 22	95 Odd Number ..	Wednesday, Aug. 22
5425 Odd Number ...	Saturday, Aug. 25	4 Even Number	Saturday, Aug. 25	96 Even Number ...	Saturday, Aug. 25
5426 Even Number..	Wednesday, Aug. 29	5 Odd Number ...	Wednesday, Aug. 29	97 Odd Number ..	Wednesday, Aug. 29
5427 Odd Number ...	Saturday, Sept. 1	6 Even Number	Saturday, Sept. 1	98 Even Number ...	Saturday, Sept. 1
5428 Even Number..	Wednesday, Sept. 5	7 Odd Number ...	Wednesday, Sept. 5	99 Odd Number ..	Wednesday, Sept. 5
5429 Odd Number ...	Saturday, Sept. 8	8 Even Number	Saturday, Sept. 8	100 Even Number ...	Saturday, Sept. 8
5430 Even Number..	Wednesday, Sept. 12	9 Odd Number ...	Wednesday, Sept. 12	101 Odd Number ...	Wednesday, Sept. 12
5431 Odd Number ...	Saturday, Sept. 15	10 Even Number	Saturday, Sept. 15	102 Even Number ...	Saturday, Sept. 15
5432 Even Number..	Wednesday, Sept. 19	11 Odd Number ...	Wednesday, Sept. 19	103 Odd Number ..	Wednesday, Sept. 19
5433 Odd Number ...	Saturday, Sept. 22	12 Even Number	Saturday, Sept. 22	104 Even Number ...	Saturday, Sept. 22
5434 Even Number..	Wednesday, Sept. 26	13 Odd Number ...	Wednesday, Sept. 26	1 Odd Number ..	Wednesday, Sept. 26
5435 Odd Number ...	Saturday, Sept. 29	14 Even Number	Saturday, Sept. 29	2 Even Number ...	Saturday, Sept. 29
International		Paramount		Pathe	
65 Odd Number ...	Wednesday, Aug. 15	6 Even Number ...	Wednesday, Aug. 15	68 Even Number ..	Wednesday, Aug. 15
66 Even Number ...	Saturday, Aug. 18	7 Odd Number	Saturday, Aug. 18	69 Odd Number	Saturday, Aug. 18
67 Odd Number ...	Wednesday, Aug. 22	8 Even Number ...	Wednesday, Aug. 22	70 Even Number ..	Wednesday, Aug. 22
68 Even Number ...	Saturday, Aug. 25	9 Odd Number	Saturday, Aug. 25	71 Odd Number ...	Saturday, Aug. 25
69 Odd Number ...	Wednesday, Aug. 29	10 Even Number ...	Wednesday, Aug. 29	72 Even Number ..	Wednesday, Aug. 29
70 Even Number ...	Saturday, Sept. 1	11 Odd Number	Saturday, Sept. 1	73 Odd Number ...	Saturday, Sept. 1
71 Odd Number ...	Wednesday, Sept. 5	12 Even Number ...	Wednesday, Sept. 5	74 Even Number ...	Wednesday, Sept. 5
72 Even Number ...	Saturday, Sept. 8	13 Odd Number	Saturday, Sept. 8	75 Odd Number ...	Saturday, Sept. 8
73 Odd Number ...	Wednesday, Sept. 12	14 Even Number ...	Wednesday, Sept. 12	76 Even Number ...	Wednesday, Sept. 12
74 Even Number ...	Saturday, Sept. 15	15 Odd Number	Saturday, Sept. 15	77 Odd Number ...	Saturday, Sept. 15
75 Odd Number ...	Wednesday, Sept. 19	16 Even Number ...	Wednesday, Sept. 19	78 Even Number ..	Wednesday, Sept. 19
76 Even Number ...	Saturday, Sept. 22	17 Odd Number	Saturday, Sept. 22	79 Odd Number ...	Saturday, Sept. 22
77 Odd Number ...	Wednesday, Sept. 26	18 Even Number ...	Wednesday, Sept. 26	80 Even Number ...	Wednesday, Sept. 26
78 Even Number ...	Saturday, Sept. 29	19 Odd Number	Saturday, Sept. 29	81 Odd Number ...	Saturday, Sept. 29

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions	12.00
Canada and Mexico..	12.00
England and New Zealand	14.50
Other Foreign Countries	16.50
25c. a Copy	

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, SEPTEMBER 1, 1928

No. 35

Facts About Talking Pictures and Instruments—No. 3

There is just one more detail necessary to make last week's article about the cost of the talking picture instruments complete; and that detail is, the fact that all instruments, whether sold by Western Electric or by RCA Phonophone, Inc., are sold f. o. b. factory. In other words, the exhibitor pays for the transportation from the factory to his theatre. The common carrier is considered by both these companies as the agent of the exhibitor. Consequently, should the instrument be lost or destroyed while in transit the exhibitor must look to the common carrier for redress. It should be well for the exhibitor, therefore, to insure the instrument from the day that it is shipped.

Is Installation in Small Theatres Possible?

The next question about talking pictures asked most frequently is whether an exhibitor who is in a small town and who has a small seating capacity can install a talking picture instrument profitably or not.

To answer such a question with any nearness to accuracy and to support it with facts, it is necessary for us to look into the entire cost of showing talking pictures—instrument installation maintenance, and cost of films. The cost of installation and maintenance was covered adequately last week. There now remains for us to deal with the cost of the film to the exhibitor.

The cost of the film to the exhibitor naturally will depend, in the main, on the cost of the pictures to the producer. Now and then the cost of a particular picture to the exhibitor will depend on that picture's drawing powers. If it made a great hit, for example, the exhibitor is charged more for it. But in the main, it is cost of production that will govern the rental price to the exhibitor.

Let us now look into the conditions at the studio to see what is happening there and at what cost are talking pictures produced.

Cost of Production

The talking picture has swooped down so suddenly that it caught the industry unprepared; or, to be exact, it did not come suddenly, but five of the largest producers, while Warner Bros. were still struggling to make their talking pictures go, and long before the production of "The Jazz Singer," a picture that marks the rise of the talking picture, came together and agreed not to allow themselves to be stampeded by this new invention.

It would have been well for the industry had these producers, while under a verbal agreement not to be stampeded, carried on experimental work with a view to preparing themselves for such an emergency. But they did not. And now they are paying for their mistake.

Unfortunately it is not only they that are paying but the entire industry. And it will pay more dearly unless something is done to check the present hysteria. As a result of it the industry is headed towards bankruptcy. The cost of producing pictures today is so enormous that it is unlikely that exhibition can absorb it all. It is nonsense to talk about the great possibilities of the talking picture. The fact that Warner Bros. have made a few pictures that are drawing large crowds does not mean that talking pictures will continue to draw wherever they are shown when a large number of theatres install a device, and the newness of talking pictures wears off. What will happen when they do not draw in all such theatres one dreads to predict.

At the studios, every one is running around in circles. They want equipment but they cannot have it, because every producer wants it at the same time; and the demand cannot be supplied at once. Even those that have talking picture equipment on hand cannot use it for they cannot get the material to build sound-proof studios with. And without sound-proof studios the equipment is useless for high-class work. I have it on good authority that all orders

for sound-proof studio material cannot be filled during the present selling season. The result will be that the producers, pressed by the necessity of supplying the great demand for talking pictures, will adopt make-shift methods, and the resulting product will naturally be of "make-shift" kind. The making of talking pictures requires absolute quiet. Any sound created, any noise made during the taking of the scenes will register on the sound track. Hence the need of sound-proof material for fitting studios with before making the pictures.

Even with sound-proof studios the production of talking pictures requires that the studios be located in big ranches, away from the activities of the city streets, away from the noise caused by the passing of trucks, of fire engines, and of other vehicles that can create heavy rumbling noises. And few of the studios are located in such ranches.

Production Problems

The production problems have increased manifold because of talking pictures. To begin with, there are few sound experts. And what there are, they are in such a great demand that their salaries are mountainous. All this adds to the cost of production.

The scenes must be made longer so as to permit liberal cutting in the editing. The reels themselves, too, must be made longer; the producers are now striving towards the three thousand foot reel. The object is to have as few "joints" as possible. All this adds to the cost of production.

While "shooting" a scene, the arc light may all of a sudden and of its own volition start singing. The arc light does not know the mischief it does when it starts on its singing rampage; but every whim of it helps the production cost to mount, for the scenes must be retaken.

Retaking scenes in talking pictures is not like retaking scenes in silent pictures; it is far more expensive in view of the large technical staff used. All this adds to the cost of production.

Those of the producers that have their studios close to the city streets are often compelled to do their work during midnight, even though they may have sound-proof studios. This naturally keeps an entire company idle for a whole day, and necessitates extra time and often extra workers. All this adds to the cost of production.

The problem of actors is another, and an expensive one. A picture may be cast but after starting to "shoot" the scenes it may be found that the voice of a particular actor does not register well. In such an event, the picture may be recast entirely. It may be discovered also that the tone quality of a particular actor's voice may be unsatisfactory to such an extent as to compel the director to recast the entire picture. All this costs money.

Trouble in the photocells is another big problem; and an expensive one, for it makes it necessary to retake all scenes.

These are only a few of the technical problems that makers of talking pictures are confronted with; there are one thousand and one others.

Lack of Technicians

Technicians have to be developed in large numbers to supply the present demand. And even after they are developed they cannot be considered one hundred per cent. proficient unless they make a study of the psychological effect of sound on the emotions of the spectator-auditors. This is important if the minds and hearts are to be reached. Even the technicians of Warner Bros., who are pioneers in this kind of work, seem to lack a thorough understanding of it. They no doubt know what sounds register and what do not register; what voices have fine tone qualities and what lack such qualities; how to get best sound registration; but they

(Continued on last page)

"The Butter and Egg Man"—with Jack Mulhall and Greta Nissen

(*First Nat.*, Sept. 30; 6,467 ft.; 75 to 92 min.)

Not bad; in fact, it is a good audience picture judging by the applause which it received at the big Hippodrome in New York City. The picture, adapted from the stage play bearing the same name, written by George S. Kaufman, has many amusing situations; but the most amusing is the one in the crooked producer's office, where the hero had gone to invest in a show the money given him by his fond grandmother. Sam Hardy and William Demarest re-act the scenes of the play to impress the hero and their pantomiming is a scream. When he meets the star (heroine), who helps to impress him, having fallen in love with her, he buys a share in it.

The story starts out at a fast speed but slows up in the middle only to pick up and end briskly enough. The hero is about to lose everything when the show is a flop when it opens in the sticks. Having faith in it, however, he buys the whole show and reopens in New York where it becomes the hit of the season. The former partners, anxious to buy it back, offer him twice as much as he paid for it. And because he has been informed that the show was stolen from a magazine story, he unloads his play back on the crooks and they find out that they have been victimized as they tried to gyp the hero.

Jack Mulhall is quite good as the country boy who comes to the city imbued with the belief that he had the making of a Belasco in him because he had been successful in staging local shows in his own home town. Lucille Beaumont is sweet as his trusting grandmother who mortgaged her hotel to raise funds to satisfy the boy's desire to make his fortune.

Greta Nissen, as the heroine, has little to do and is overshadowed by the good work of Gertrude Astor in her small part as the former star and (rather tough) wife of one of the crooked producers.

The picture was directed by Richard Wallace.

Note: The picture was sold on the 1927-28 contract as a Harry Langdon starring vehicle.

"Virgin Lips"—with John Boles and Olive Borden

(*Columbia*, July 25; 6,048 ft.; 70 to 86 min.)

Not a bad melodrama. It has several thrills, and its action holds one's interest pretty well throughout. The spectator is held in pretty tight suspense at times. One of the suspensive situations is where the hero dares to enter the lair of the villain, a murderous bandit. By adequate preparation work and by suitable characterization the spectator is made to feel convinced that the villain is a murderous man. The result is that the suspense is tenser. The presence of the heroine in the villain's lair, too, helps to heighten the suspense. A thrill is caused also by the sight of the falling aeroplane, in which the hero was the aviator.

The action unfolds in a fictitious Central American republic, and presents the hero as being engaged by firms that had oil and other mining interests to help the government capture a notorious bandit. The bandit had a spy in the camp of the companies. The spy tampers with the hero's aeroplane. But when the hero is about to leave

with his machine to get information about the villain the spy is selected to accompany him on the trip. The aeroplane is wrecked; the hero escapes injury but the spy is hurt. The hero takes him to the nearest town, which happens to be the very town the villain, was about to attack. The villain takes possession of the town and the hero, in order to avoid being shot as a spy, discards his aviator's suit and puts on civilian clothes. He pretends that he is a bartender and serves drinks to the villain and his men. The spy recovers consciousness and reveals the hero's identity to the villain. The villain decides to shoot the hero but the heroine, by pretending to make love to him, succeeds in postponing the shooting until troops arrive; the hero had used a ruse to notify his comrades of his plight. The villain is captured and many of his men exterminated. Hero and heroine marry.

The plot has been founded on a story by Charles Beahan; it has been directed by Elmer Clifton.

Note: It is a substitution. See analysis in the issue of August 11.

"Oh Kay"—with Colleen Moore

(*First Nat'l.*, Aug. 26; 6,100 ft.; 70 to 87 min.)

A good comedy. It mixes bootleggers and lords, but it succeeds in entertaining one. The story starts in England, where the heroine, daughter of Lord Rutfield, resisted her uncle's pressure to marry a lord, a man she detested. In order to drown her sorrow, she takes her sloop for a little sailing. A storm arises and she would have drowned had she not been seen by the crew of a passing ship. She is taken aboard. The ship happens to be a rum-runner, and is headed for America. The ship reaches the promised land and drops anchor opposite Long Island. The heroine is helped by one of the crew to land without detection by revenue officers. Accidentally she finds herself in the home of the hero, who was to marry a young woman the following day. But he falls in love with the heroine. He decides to break his engagement with his fiancée and to marry the heroine. As soon as they make up their marriage plans, the heroine discloses her identity.

There is much comedy all the way through, this being caused by Miss Moore who is helped by Mr. Ford Sterling. The scenes in the hero's home in America, where the heroine is trying to dodge a, what she thought was, revenue officer but in reality a highjacker, are comical in the extreme. The scenes where the heroine impersonates a maid, too, are comical. There are other comical situations.

Carey Wilson is the scenarist. The picture has been directed by Mervin LeRoy. Miss Moore does excellent work. Lawrence Gray is good as the hero, Ford Sterling is good, as he always is. Claude Gillingwater, Julanna Johnson, Claude King, Edgar Norton, Percy Williams and others are in the cast.

"Romance of a Rogue"—with H. B. Warner

(*Regn'l*, date not yet set; 6,100 ft.; 70 to 87 min.)

A mediocre story, slow in unwinding and without much action, makes this just a fair picture, though the moral preached throughout, that right

always comes out right, may make it satisfy fairly well in small towns. The story revolves around a wealthy Englishman who, on the eve of his marriage, is convicted of murder. After serving a prison term, he seeks to revenge for the wrong done to him. He is befriended by an old musician who takes him to the cabaret, where the hero's former sweetheart is a singer.

At first, the spectator's interest is held, knowing that the heroine is married to the real murderer who had become a paralytic and she was supporting him. But because the action is not very smooth that interest soon wanes until the last few reels when the heroine is shown at first deciding to leave the cabaret because she could not stand the presence of her former sweetheart, and then changing her mind and bringing the hero home where he meets the villain. The villain confesses that he had committed the murder and conveniently dies so that heroine and hero might be united.

H. B. Warner gives a good performance and his name, too, will help somewhat to carry the picture. Anita Stewart, as the wife of the murderer, who never lost her love for the hero, is fair. John Christopher is the sentimental musician who helps the hero keep track of the heroine, and Chas. Gerrard is the villain. The picture was directed by King Baggot from a story by Ruby M. Ayres.

"The Patriot"—with Emil Jannings

(Paramount, Sept. 1; 9,819 ft.; 113 to 140 min.)

There can be no other opinion than that "The Patriot" is a masterpiece from the point of view of direction and acting; it has been produced by that master director, Ernst Lubitsch, and its chief part has been acted by that artist, Emil Jannings. As Paul the First, Czar of Russia, a madman, Mr. Jannings is superb. It is doubtful, in fact, if he can show better work in any other picture. But it is unlikely that "The Patriot" will appeal to the picture-goers of the rank and file. The theme is unpleasant and the characters, with the exception of Mr. Stone, are not shown doing anything that would arouse one's sympathy. Mr. Jannings, as the mad Czar, is presented as a cruel monarch. And Mr. Stone brings about his death for the sake of Russia and the Russian people, who suffered much under his reign. That is about the substance of the story. The one thing that Mr. Stone does as the Chamberlain of the Czar is to induce the man that killed the Czar at his orders to kill him, too; he had promised the Czar to protect his life with his own life; and since he had, for the sake of his country, to cause the Czar's death, there was no other course for him, as a real patriot, than to commit suicide.

Mr. Stone, too, does wonderful work, at times he steals the picture away from Mr. Jannings. Miss Vidor is pretty fair as the mistress of Count Pahlen (Lewis Stone). Neil Hamilton is the Czarevitch, but he does not appear in many scenes. Harry Cording and Vera Veronina appear in the cast.

The plot has been founded on the German stage play by Alfred Neuman; it was adapted to the screen by Hans Kraly. The action is "raw" in places.

Note: The synchronization of this picture is "atrocious."

"The Sawdust Paradise"—with Esther Ralston

(Paramount, Sept. 1; 5,928 ft.; 69 to 84 min.)

Nothing extraordinary, but it is not bad. It is a picture that deals with the reformation of the heroine, a carnival sharp; she had been paroled in the custody of a travelling evangelist by the judge who had sentenced her to ninety days in jail when she was brought before him on a charge of crookedness, trumped up by the narrow-minded country town folk. Her reformation is effected when she takes a liking to the minister, because of his sincerity, and helps him put over the "show" by adopting show methods. The work gets into her blood and she becomes regenerated.

There are some situations that affect the emotions of sympathy pretty well. But the subject, as put into a scenario form, does not seem to lend itself to the making of a great picture. It is hard to sympathize with crooks; and that is its chief drawback. The hero, whom the heroine loves, does not reform until the end. The heroine, too, does not arouse much sympathy; although she is not actually shown as doing anything wrong, her characterization being done by subtitles, yet one cannot feel sympathy for a person who pretends to be religious to religious people when in reality she lacks religion.

The plot has been founded on an original story by John Manker Watters. Esther Ralston does well in a least sympathetic part. Mr. Reed Howes is the traveling evangelist. Tom McGuire, does well as the hero. Hobart Bosworth is good. George French and Alan Roscoe are in the cast.

"The Night Watch"—with Billie Dove

(First National, Sept. 9; 6,612 ft.; 76 to 94 min.)

The story of "The Night Watch" is pretty good, but it has been handled by Mr. Korda, the director, well, with the result that it arouses and retains the interest of the spectator all the way through, and holds him in pretty good suspense. The action unfolds chiefly on board a French cruiser during the World war, and the meat of the story is the separation of hero and heroine (husband and wife) as a result of misunderstanding. Like almost every woman, the heroine wanted attention; but because her husband could not give it to her on account of the fact that he was preoccupied by the threat of a world war, which threat had kept him at his post day after day and night after night, she allowed a former sweetheart of hers to make her believe that her husband did not give her the attention she deserved. Upon the return of the cruiser, from an engagement with a German cruiser, during which he had sunk the German man of war, the body of one of the petty officers is found. Circumstantial evidence points to the hero as the murderer. The hero is court martialed and would have been convicted and sentenced to be shot had not the heroine given to the judges information as to the circumstances under which the murder had been committed. The hero is declared innocent. Because he admired the heroine for her willingness to sacrifice her good name to save him, he takes her in his arms and forgives everything.

The picture has been produced under the able supervision of Mr. Ned Marin.

do not seem to have grasped their entire subject if one is to judge them by the way they applied sound in "The Terror." They have music play while the characters talk.

Let us see what psychological effect is produced by an attempt to give music and talk at the same time:

Dr. Thomson, in his book "Brain and Personality," states that the brain is divided into many brain centres. Each brain centre, the author states, performs a separate function. For instance, the centre of word memory is one, the centre of figure memory another, the centre of music memory still another, and so on. This he proves by citing instances wherein the physical injury of the one centre did not affect the perfect functioning of the other centres. Dr. Thomson states also that the one centre cannot overlap any of the other centres. In other words, while the one centre is functioning all other centres must lie idle until their turn comes.

Accordingly, when music is played and the characters talk, the mind must attend only to the one—either to the music or to the talk; and as the persons that went to the performances of that picture went chiefly to hear the characters talk, they would naturally have preferred to have the music stopped. And as both played, they must have been disconcerted. The spectator has no way of voicing his protest in case there is something he does not like; few persons will stop at the door to tell his troubles to any one. His only way out is to keep away from the theatres that show pictures in a way he does not like. And unless a study is made as to the psychological effect particular sound applications have on the minds of the picture-goers, many of them will stay away from the theatres that show talking pictures.

Laboratory and Distribution Problems

When we touched the production problems we only scratched the ground; the laboratory and the distribution problems are still greater.

At present the laboratories are jammed hopelessly. Printing of talking picture subject is extremely difficult. Where only music is used, there must be duping in order to superimpose the sound track on the silent picture. You realize, I believe, how difficult that is, and how carefully the printing must be done. Raw stock of the highest quality must be used, for a defect on the emulsion side will cause rumpling or ground noises. The laboratories, too, were caught unprepared. As a result, they lack the necessary equipment for duping. The cost of sound printing is naturally higher than the cost of the silent prints. I have been informed reliably that sound prints cannot be made for less than five cents a foot; that is, about twice as much as it costs for silent prints.

But it is in the distribution where the greatest troubles lie. To begin with, there must be three kinds of prints made: the silent print, the print with the sound on the film, and the print that is synchronized with disc records. And there is where the real troubles begin; for the multiplicity of prints makes mistakes in shipping unavoidable. Instead of the disc print, the silent print may be shipped with the disc records; or the print with the sound recorded on the film. The wrong discs, too, may be shipped with the right print. All these either increase the cost of the film to the exhibitor, or cause a loss to him.

Even in the inspection room there is an immediate increase: one inspector cannot inspect more than two prints a day to the thirty or forty he could inspect before.

These are only a few of the problems the producer-distributors are confronted with; but they are enough to show what they are up against, and to give you an idea of how much more will the film, features and acts, cost you if you should install a talking picture device. It is hardly possible that the theatres can absorb the present cost.

The cost of talking picture "acts" is another item to be born in mind. The rentals for such subjects are not definite; they vary, the variation depending on location and seating capacity. Warner Bros. have compelled some of their customers to play the Vitaphone shows on percentage and overage; and it seems as if all the other talking picture subject distributors will adopt the same policy.

The foreign situation presents another big problem. Heretofore the producers figured to cover the cost of production from the receipts in the home market and to make their profits from the receipts in the foreign market. The advent of the talking picture has upset this system, for the reason that, as you well understand, pictures that talk English are useless in countries where English is not spoken. The producers will, of course, continue to ship silent prints, but they will be unable to receive a revenue from the foreign field in proportion to the cost of film. In

other words, if a picture cost, say \$200,000 before and the producer received \$50,000 from the foreign field, he received 25% of the cost; but when the same picture cost \$400,000 because of the extra cost in producing it with sound, he will still receive \$50,000; but this will be only one-eighth of the cost of the picture—not enough to pay his expenses for maintaining the foreign offices and to leave a profit.

The cost in the booth has increased many times; the scale of the operators' wages is "fearful." I shall soon be in a position to give you the actual figures as to what such scale is.

Another point where the cost of operation has increased is in the express charges; these double and in some instances treble. The next issue of "Brevity," the comic magazine published by Barrist & Goodwin, at Philadelphia, will well illustrate this in a cartoon in which there will be shown a big van arriving at the theatre with wording to the effect that the Vitaphone show arrived.

I am sure that every exhibitor can now get a concrete idea as to how much it will cost him to run his theatre if he were to install a talking picture device. It has been figured out by some exhibitors in this city that it would cost them at least one thousand dollars a week additional.

With these figures, every exhibitor can, I believe, determine whether he can or cannot install a talking picture instrument profitably.

Non-Synchronous Instruments For Small Theatres

But these is one class of exhibitors that under no circumstances can install a machine; at least not at present. These are the small-town exhibitors, particularly those that have a small seating capacity. The cost of fitting a theatre with an instrument, the cost of maintenance and the cost of film is so great that no matter what they might charge for admission; no matter what they might take in at the box office, they would never be able to take in money enough to pay for the cost. These might just as well forget all about talking pictures at present. The best they can do is to install a non-synchronous instrument and to buy a sufficient number of records from the Victor Phonograph Company to enable them to accompany the picture in accordance with the cue sheets furnished by this company or to cue the picture themselves. The music such instruments give is far more satisfactory than that of the musicians these exhibitors employ at present. The music the best musicians they can hire in such towns cannot be compared with the music these instruments give. With an instrument of this kind they will be getting nearly as good results as they would if they had the original orchestra. In this way they will make their theatre more attractive to patrons, for they will not be offending them with music played by poor musicians, on screechy instruments, or on instruments out of tune.

There are several kinds of non-synchronous instruments in the market. It is my intention to examine them all and to report to you as to their suitability. At present the non-synchronous instrument that is being manufactured by the RCA Photophone, Inc., seems to be the best because it uses the same kind of sound projectors that are furnished with the "talking" instruments—the paper cone projectors. The only difference is that they have only four cones instead of sixteen; but they are enough for small theatres. These instruments sell, as said last week, for \$850. If any of the other instruments offered can come near to giving as good tone quality, and if they sell for as reasonable a price, you will be acquainted with the fact.

(To be continued next week)

ANYOX COMMUNITY LEAGUE

Anyox, B. C.

August 17, 1928.

Mr. P. S. Harrison,
1440 Broadway,
New York City.

Dear Mr. Harrison:

Herewith marked check for another year's subscription to HARRISON'S REPORTS.

Personally I like your fighting spirit, and it looks as though you had 'It' (the capacity for conducting a scrap) developed to the nth degree. And there is some nourishment to the grist you grind, too.

Very truly yours,

F. M. KELLEY,
Welfare Dept.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions	12.00
Canada and Mexico..	12.00
England and New Zealand	14.50
Other Foreign Countries	16.50
25c. a copy	

1440 BROADWAY

New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by

P. S. HARRISON

Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:

Harreports

(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, SEPTEMBER 8, 1928

No. 36

Facts About Talking Pictures and Instruments—No 4

In the three articles about talking pictures already printed, several questions you wanted an answer for, were answered. You were told, for example, of the different types of recording and reproducing sound; of the most suitable talking picture instrument in the market; what the problems of the producer are; what the problems of the distributor; what the cost of installation, and of others. But the question whether talking pictures are going to last or not, which question implies also whether the silent pictures are to stay or go out of existence, is, I am sure, the one you really want answered.

The answers given in the three articles already printed have been founded on facts. In other words, it could be proved by facts and figures that what was stated was correct. But the question whether talking pictures are here to stay or not cannot be answered, because there are no facts to guide us. Talking pictures are a new thing, and one must be possessed, as said, with occult powers to tell what is going to happen in the future. The performances of talking pictures so far cannot be taken as a criterion, for their popularity did not begin with their appearance, but with the release of "The Jazz Singer," which was shown more than a year after talking pictures were in use. Had they made a hit from the very beginning, we then could, with almost certainty, tell that they would be a permanent form of entertainment without waiting to see how they would "act" at the box office in the future; we could then be brave enough to predict a brilliant future for them. But now we are forced to wait to see what is going to happen.

Since we have not, as we have said, facts to guide us in an effort to tell whether talking pictures are going to last or not, in discussing this subject I shall be compelled to express only my personal opinions. It is up to you, then, to study these opinions and to be guided accordingly. It is your future that is at stake; therefore, it should be you that should decide what to do. All I can do is to try to help you by giving you my own opinions where facts are lacking.

* * *

As I said in the first article of this series, there is a group of exhibitors that think that talking pictures are merely a novelty, and they are destined to pass out of existence as soon as their newness wears off (to this group belong also some producer-distributors, actors and directors); and a group that is confident that no exhibitor will be able to survive unless he installs a talking picture instrument. (We are not mentioning the multitude that have formed no opinion on the subject and want to be enlightened.)

Personally I believe that both these groups are

wrong: Talking pictures are a new form of entertainment and they are, in my opinion, here to stay. But they will not stay in the present form. The producers must first learn to apply sound in the most effective way. At present they are not applying it in that way. And naturally so, for there are few sound experts in existence; and these have not had time to observe what effect certain sound applications exert on the person that pays his money at the box office. All they know at this time is that the public "buys" this new form of entertainment, and the producers are trying to supply the demand, no matter whether they are equipped to make talking pictures or not.

And there is where the greatest danger lies; for it is unlikely that the public will continue to allow themselves to be "buncoed" by fake talking pictures.

"White Shadows of the South Seas," for example, is being advertised by Metro-Goldwyn-Mayer as "The best sound picture that has ever been produced." In one spot, Monte Blue, the hero of the picture, is made to laugh aloud; but the laugh sound was put into the picture when Mr. Blue was in Europe. In another spot, another character is made to cry. And the Lord knows where this character was, for he is a native of the South Seas, hired on the spot, whereas the picture was fitted with sound in New York City. There is no place where the characters talk. And yet Metro-Goldwyn-Mayer is telling the public that it is the best sound picture that has ever been produced.

In the Paramount picture "Warming Up," in two or three different spots a sound is heard and the accident that caused it seen to occur afterwards—several seconds later. An attempt was made to make the characters talk, too, here and there, but the effort is so crude that a child knows that it was superimposed on the film. And yet Paramount has advertised it as the first sound picture it had put out.

In the F. B. O. picture "The Perfect Crime," in one or two places the characters cease talking and their lips keep moving.

Examples such as these and numerous others, either made or to be made in the near future in an effort on the part of the producers to supply the great demand for talking subjects, cannot help hurting the business; they are not talking pictures; they are fakes, and those that induce the exhibitors to show them as "talking pictures" are obtaining money under false pretenses and are compelling the exhibitor to obtain money under false pretenses, too.

It is true that "sound pictures" does not mean "talking pictures," but there is hardly one out of

(Continued on last page)

"The Night Bird"—with Reginald Denny*(Univ.-Jewel, Sept. 16; 6,702 ft.; 78 to 95 min.)*

Poor! It is neither fish nor fowl. Reginald Denny has appeared always in farce-comedies, and one would naturally expect that "The Night Bird," too, would be a farce-comedy. But it is really a drama. There is hardly a comedy situation all the way through, and the drama is not strong enough to arouse one's interest in what is unfolded.

The action presents Mr. Denny, a boxer, with an ambition to win the heavyweight championship of the world, as being shy of women. His manager tells him that he will not attain his ambition unless he mingles in New York's night life. He forces the poor boxer to attend a dance where he is kissed and otherwise "maltreated" by a redhead and by a blonde. He runs away secretly. In the park he meets a little Italian girl (but big enough to fall in love with later on and to make her his wife); she had run away from her home because her father had beaten her when she refused to marry an Italian, choice of her father. She follows the hero home. The hero, in fact, cannot get rid of her. Eventually he falls in love with her. The hero's manager, not wishing to see the hero entangled in matrimony, tells the young Italian that she is ruining the hero's future. As a result of it the girl goes back to her home, ready for the punishment her father prepared for her—to marry the man he had chosen for her. In a match with the heavyweight champion the hero fights half-heartedly and is about to lose the fight when an Italian boy rushes to the ring, and, in spite of the fact that children are not allowed in such places, tells the hero that his sweetheart, whose whereabouts he had lost, is being forced to marry a man she despises. The hero gathers all his energy, beats his opponent, rushes to the heroine's home, knocks down everybody and carries away the girl.

Betsy Lee is the Italian girl; Sam Hardy, the hero's manager.

The plot has been founded on a story by Frederick and Fanny Hatton. The picture was directed by Fred Newmeyer.

"Beautiful But Dumb"—with Patsy Ruth Miller*(Tiffany-Stahl, Aug. 1; 6,157 ft.; 71 to 87 min.)*

Rather tiresome; it has been done too often. The story is weak; it may appeal mostly to women, because of the clothes worn in the heroine's transformation from a plain-looking, masculinely dressed efficient secretary to a beautiful woman, trying to capture her employer, with whom she has fallen in love. Miss Miller causes a few laughs when she tries to follow the instructions she has received from a co-worker, a gold-digger, to win the affections of men. Gretel Yoltz is not bad as the girl who gets by on her looks rather than on her ability.

The story revolves around the good but plain looking secretary of a rather good looking boss. In her efforts to win his love, she vamps him to such an extent that he invites her to his apartment. There he gets "fresh" with her. Still in love with him but disgusted, she gives up her job. But the office can't run without her. So he asks her to return to work, saying he would not make love to her any more. But he finds that he has fallen in love with her and so they are united.

Charles Byer is satisfactory as the hero. Others in the cast are George E. Stone, Bill Irving and Shirley Palmer. The picture was directed by Elmer Clifton from a story by John Francis Natteford.

"The Water Hole"—with Jack Holt and Nancy Carroll*(Paramount, Aug. 25; 6,319 ft.; 73 to 90 min.)*

The story of this picture is by the famous author Zane Grey. The production end of it is very good; the story is so-so, and its value will depend chiefly on the popularity of the author in your locality. The picture will, no doubt, satisfy, but it will not create a sensation.

The underlying idea is old—the hero undertakes to tame the heroine, daughter of wealthy parents, and a girl that had always had things her own way. To do this, the hero, in agreement with her father, kidnaps her and takes her to a lonely spot into the desert, and there makes her cook and do other house work, things she had never done in her life, because she had always had servants to do the work for

her. Her fiance learns from her father that she had been "abducted" and, hiring a guide, goes in search of them. He finds them and starts back with the heroine. But the guide, happening to be a horse thief, steals their horses. They are thus compelled to tramp back on foot. On the way, their water gives out and the fiancee is helpless. The hero does everything he can to help them, but he, too, eventually comes to the point of succumbing, until they are found by cowboys working for the heroine's father. But the leader of them was one of those with whom the heroine had flirted; he decides to carry the heroine off. He ties the hands of the hero, puts a noose around his neck, passes the other end of the rope over the bough of a tree, and ties it to a horse, intending to lynch him. But the fiance, who had been carried by the hero on his back when they found the water hole in the desert dry and had no water left, having revived after drinking water the villain's men had given him, secretly cuts the rope that held the hero's hands tied. The hero is thus enabled to subdue the villain. Eventually the heroine marries the hero, who had proved the better man of the two.

Jack Holt comes back into his own in stories that made him pretty popular; in fact many exhibitors have come to think that no Zane Grey story could be produced by Paramount without Mr. Holt. Nancy Carroll is the heroine, and John Boles the fiance. Montague Shaw, Anne Cristie, and others are in the supporting cast. The story starts in a big city, and has several beautiful scenes in natural colors, the intention of the Paramount executives being to fit the Zane Grey pictures, which heretofore have been purely Westerns, in a way to make them suitable for first-run houses. F. Richard Jones directed it well.

"Submarine"—with Jack Holt, Ralph Graves and Dorothy Revier*(Columbia, Sept. 23; 8,192 ft.; 95 to 117 min.)*

If Columbia is going to make pictures like "Submarine," the big producers, Fox included, had better look out, for it has made something that comes up to the standard of productions of the biggest of them, probably at much lesser cost. "Submarine" is not only a great picture; it is different from the regular run. It is a re-enactment of the tragedy of the sinking of the S4, in which every one of the crew perished; only that the crew in the picture does not perish; they are saved. The scenes after the submarine had been struck during the maneuvers and sank, where the hero and the captain of the submarine are seen trying to dissipate from the minds of the others the fear as to their probable fate unless the ship were raised are so vivid that one really feels as if present in a real-life occurrence. The agony felt by the crew is felt to a certain degree also by the spectator. The scenes of the rescue efforts, too, are realistic. Most of these scenes have been photographed with real ships, and real diving outfits. The decompression tank, in which the divers are placed after reaching the surface if the depth to which they reached is great, is there. Earlier in the picture the spectator is thrilled when the hero is dragged into the water by the uncoiling rope that was tied to a bomb, shot at a derelict; the hero is shown diving and cutting the rope on the other side of the hero's foot, and rescuing the hero just before the bomb exploded. It is a real thrill.

The picture is full of drama. The scenes that show the hero finding out that the woman, with whom he had kept company for a week upon his return to San Diego from the Orient, was the wife of his chum are tensely dramatic. The break of their friendship when the hero found his chum and his wife in an embrace saddens the spectator, but increases the spectator's admiration for the chum, who lets the hero think that the fault was his rather than tell him that it was his wife's and cause him more pain. The scenes that show the hero refusing to answer the call of the naval authorities, as the only diver that could reach the depth the submarine lay, are not sympathy arousing for the hero; they should be cut down to the limit. But whatever bad effect might be created by his refusal to answer the call immediately are offset when he, after finding evidence of his wife's guilt, rushes to the wharf, enters an aeroplane, flies to the scene of the disaster, dives and fastens the air hose to the hull of the submarine, saving the lives of the crew.

The plot has been founded on a story by Norman Springer. The picture has been directed masterfully by Irvin Willat. All the actors do good work, including Clarence Burton and Arthur Rankin, who are in the supporting cast.

"Kit Carson"—with Fred Thomson*(Paramount, July 21, 7,464 ft.; 86 to 106 min.)*

This picture has been produced well; it manages to keep the interest alive all the way through. But it lacks the fast action of other Thomson pictures. It specializes chiefly on human interest. Mr. Thomson, as the hero, undertakes to defend the Indians and to fight a white villain. But his chief action is a promise he gave to an Indian chief to capture and deliver to him the white man that had attempted to assault his young daughter, causing her death; she had jumped off a high cliff so as to escape from this man. The action that shows Kit Carson as having been sent to the Indians by General Fremont is historically correct; also the fact that he had succeeded in pacifying them; but his having rescued the Indian chief's daughter from a bear and the girl's death in her effort to escape from her attacker is, no doubt, fiction. There are no fights between white troops and Indians, and therefore the picture does not offer the thrills Indian melodramas usually offer.

The plot has been constructed by Paul Powell, supposedly an authority on Kit Carson, the historical character of pioneer days. Lloyd Ingram and Alfred Werker have directed it. Nora Lane, Dorothy Janis, Raoul Paoli, William Cortright, Nelson McDowell, and Raymond Turner support Mr. Thomson.

"Manhattan Knights"—with Barbara Bedford and Walter Miller*(Excellent-Regional, Aug. 25; 5,904 ft.; 68 to 82 min.)*

A pretty fair society melodrama with a mystery twist. The spectator's interest is held pretty well throughout as it has suspense and a few thrills. The scenes in the villain's rooms where he invites the heroine to make love to her are thrilling as is the fight between the hero and villain who had followed her there. The most exciting scenes take place in the villain's den where the hero, the girl and her brother are held captive even after the hero had given the villain a check for \$50,000 in return for their liberty. There is a fire caused by the throwing of a cigarette into a pile of rubbish; it is thrilling.

The story revolves around a gang of gamblers who had a falling out. One of them is shot by the leader (villain) who pretends that one of their victims, the young sporty son of a senator, had committed the crime because he wanted to get from the murdered man the check which was forged and which he was holding to blackmail his father with. The hero, a bored millionaire, out looking for adventure, flirts with a beautiful girl whom he follows to the den of the gamblers. Each falls in love with the other. The hero, determining to find out why such a well-bred girl was traveling in such company, invites her to his home in an effort to learn her identity. She is invited by the villain in his home. While she is locked in another room she overhears the conversation that took place between the gamblers fighting over money and learns that the villain had committed the murder. The hero accidentally picks up his wallet that contained the forged check, which the villain had stolen from the murdered man. This leads the heroine to follow him back to his home where she recovers the check and tells him that she is trying to rescue her brother, who was held by the villain in a den. They are rescued in time by the fire department which was summoned by the organ grinder whose clever monkey caught the hero's note which he threw down from the window. Before the villain could make his escape, he is captured by the police. Hero and heroine are united.

The picture is based on a story by Adeline Leitzbach and was directed by Burton King. Miss Bedford is a charming heroine and Mr. Miller is a likable hero. Crawford Kent is a good villain. Others in the cast are Ray Hallor as the young brother, Leo White as the organ-grinder, and Eddie Goland.

"The Cardboard Lover"—with Marion Davies*(Metro-Goldwyn-Mayer, Aug. 25; 7,108 ft.; 82 to 113 min.)*

While the story is not very strong, the picture sends the audiences home laughing. This is due to Miss Davies' slapstick antics in her efforts to prevent the hero from being lost to the vamp whose conduct she imitates. The story revolves around a romantic college girl, who makes a trip to Europe and tries to obtain the signatures of prominent people for her autograph album. But when she falls in love with the hero, a tennis champion, who resists her efforts

to make him sign his name, she makes up her mind that she wants him and goes to extreme means to get him. He is intimated with a Mademoiselle Simone, who is a lady of easy virtue, and when he discovers in her rooms another lover he resolves to give her up. But this he finds difficult to do until he is persuaded by the heroine to keep her around to prevent him from going to his lady love, in payment for the gambling debt which she unsuspectingly acquired when she chased the hero into the Casino where he was playing.

The scenes in the garden, where she impersonates a bell-boy, are very funny. So are the scenes where she falls into the lake after telling the vamp to fall into it. Later, when she goes to the hero's rooms to continue her job, and he cannot "shake her off," considerable comedy is caused. The scene where she impersonates the vamp to see if the hero was cured of his infatuation for her is so well done that the audience might easily be led to think that Miss Goudal had taken the part herself. The scenes where she returns to the hero's house, donning his pajamas and busily brushing her teeth when the vamp calls on the hero are so well done that the vamp was lead to believe that the heroine was really living with the hero and so she left him in disgust.

Hero and heroine are united after she pretended to be seriously injured, when he hurled her to the floor in his anxiety to catch the vamp when she left, because he found that he really was in love with the heroine.

The picture is adapted from the stage play of the same name by Jacques Duval. Miss Davies is an excellent comedienne and mimic. Nils Asther is pretty good as the hero who tried to believe in the woman with whom he had fallen madly in love. Jetta Goudal is an interesting vamp. Others in the cast are Andres de Segurola, as the other lover of the vamp. Tenen Holtz and Pepi Lederer.

TALKING PICTURES AND INSTRUMENTS*(Continued from Other Side)*

ducers to make good quality features of this kind than it is to produce silent features; and unless talking pictures of good quality are shown, the public will keep away from them.

And what reason have we to think that the average quality of the talking pictures of feature length will be much higher than the quality of stage productions? The good stage productions that are produced every year may be counted on the fingers of both hands. And the talking picture dramas require the same care as do the stage productions.

*(To be continued in a forthcoming issue)***WORLD WIDE PICTURES, Inc.**

729 Seventh Avenue

New York City

August 16, 1928.

Mr. Pete Harrison,

New York City.

Dear Pete:

Letters to the editor are usually so much applesauce and I very seldom waste that dignitary's time and my own in writing to them, but the article in the issue of August 18 on "Talking Pictures and Instruments" is so excellent that I cannot refrain from expressing my appreciation.

Of all the columns that I have ever read on the subject nothing has given me one-tenth real information and understanding on the subject as has your article. I shall certainly look forward to the succeeding issues on the same subject.

Very truly yours,

C. L. YEARSLEY.

CENTRAL PARK THEATRE

Buffalo, N. Y.

Mr. P. S. Harrison,

1440 Broadway,

New York City.

Gentlemen:

We are receiving your paper at our Genesee Theatre, 1600 Genesee Street, and we are very, very satisfied with the information that you give us. Your paper is priceless!

Yours very truly,

C. BASIL.

every hundred of the picture-goers that will take this expression to mean other than pictures in which the characters talk.

This condition must be altered, regardless of the situation that confronts the producer-distributors. No matter how great is the demand, they should treat the public fairly; they should not attempt to take their money by misrepresentation. If they should continue to do so, the public is bound to revolt. And when it does, this new form of entertainment will suffer.

* * *

Not only must the producers stop faking; they must, as said last week, also study the psychological effect of particular sound applications. There are uses of sound that produce a desirable effect; on the other hand, there are uses that disgust people. When "Tenderloin" was first shown, people laughed aloud, deridingly, in one of the situations. Warner Bros. had to cut this dialogue out. Dialogue writers must be developed. A writer may be able to write excellent dialogues for silent pictures and yet not be a successful writer of dialogues in talking pictures.

As to sound effects, it is probable that in comedies such effects may enhance the laugh-provoking properties of the picture. It is also possible that a similar effect may be gained in the melodrama. On the other hand, the attempt to reproduce every sound may prove fatal. The reproduction of the yell of mobs, the sound of horses' hoofs, of crying or of laughing, in dramatic productions seem to produce an undesirable effect. In the old days theatres that tried to imitate these sounds while the picture was shown were thought of as "dumps." What has happened to change that feeling today?

* * *

The first showings of talking pictures in New York City did not prove very much of a success, even though they were a novelty. The Vitaphone shows consisted of "acts," singing mostly, by high-grade singers or vaudeville artists; and of a feature, synchronized with music. No characters talked. For a year after the opening of talking pictures in this city, many installations were made throughout the country. The results were not uniform; in some spots they drew big crowds; in some the results were indifferent; while in others it hurt the business to such an extent that several of these exhibitors were compelled to throw the instruments out. I have had exhibitors either write to me or call on me to get an opinion as to how they could get rid of their instruments or how they could get a reduction in the weekly engineering services as well as in the price of the "acts." The Vitaphone stock took a decided tumble, and kept declining until "The Jazz Singer" was shown in this city; then everything changed: wherever the picture was shown, with talk, it made a great success (but not without the talk). Every producer-distributor's face showed a deep worry. This worry became deeper as they kept receiving the information that the profits of Warner Bros. kept piling up, and that this picture, which it will eventually take in several million dollars, saved that company from possible bankruptcy. The result was that every one of them jumped on the band wagon; they rushed to sign up with Western Electric for a license to produce "talking pictures" under its patents, on terms that have virtually placed the entire industry in the clutches of one company (the terms under which

they obtained such a license will be discussed in a forthcoming article).

What made "The Jazz Singer" a success? It was certainly not the "acts," for Vitaphone acts were shown, for example, with "The Better 'Ole"; but that did not make "The Better 'Ole" a success as a talking picture. It was the talk that Al Jolson made here and there, and his singing of his "Mammy" song, chiefly the singing of "Mammy." It was so successfully done that people were thrilled. The sight of Mr. Jolson singing to his mother, sitting in the orchestra, stirred the spectator's emotions as they were stirred by few pictures; it brought tears to the eyes of many spectators. The scenes that showed Mr. Jolson singing Kol Nidre while his father, a cantor, lay in bed at the point of death, too, moved people, Jews and Gentiles alike.

So it was not really the "talk" that made talking pictures popular but the good quality of a talking picture. The lesson "The Jazz Singer" has taught us, then, is that "talking pictures" will make a success—will become a permanent institution, if they have the quality.

At present no one knows what turn the public mind will take in reference to talking pictures. Just now they draw; the great advertising that has been given to them in newspaper and periodical write-ups is helping bring every picture-goer out; and as there are but a few theatres fitted with talking picture instruments, the "showing" such pictures make is great. In the Bronx, this city, for example, there are only two theatres so fitted. Why shouldn't they draw? Bronx has more than a million population. But what will happen when every theatre installs such an instrument there? The same holds true of Brooklyn, where there are over two million people, and two or three talking picture theatres to take care of them. Will these theatres draw the same crowds when every one of the nearly 250 theatres install an instrument and show talking pictures?

Even if talking pictures should increase the picture theatre attendance, the industry cannot stand the cost of production in accordance with the pace set just now; it isn't in the "cards." So a readjustment will have to be made; unless it is made, few of the producers will be able to show a profit this year; on the contrary, the losses will be great.

It is doubtful if exhibition can absorb as many "talking picture" features as the producers have set for production, even if the industry had reached the saturation point of instrument installation. It is probable that, after the thirst of the public for talking pictures has been appeased, matters will settle down to this: there will probably be a certain number of theatres that will specialize in talking pictures, and the others will continue their regular grind of silent pictures, the small theatres improving their music by non-synchronous instruments. It is also possible that the taste of the public will show a trend towards short subjects, comedies as well as dramas. In such an event, the demand for talking pictures of feature length, in which the characters will talk all the way through, may be limited to a certain number a year, of the highest quality. An attempt on the part of exhibitors to feed the picture-going public talking pictures as a regular diet may prove a failure, for the reason that it will be many times more difficult for the pro-

(Continued Inside)

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions	12.00
Canada and Mexico..	12.00
England and New Zealand	14.50
Other Foreign Countries	16.50
25c. a Copy	

1440 BROADWAY

New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, SEPTEMBER 15, 1928

No. 37

"Protection," Non-Theatricals and the Brookhart Bill

A recent announcement in the trade press stated that the arbitration troubles between Motion Picture Theatre Owners of the Northwest and the Film Club of the Minneapolis zone have been settled, representatives of the exhibitors' organization resuming their places on the board of arbitration.

The trouble arose when the exhibitors' organization issued an ultimatum to the exchanges demanding that they refrain from selling film to non-theatrical institutions, informing them that the exhibitor members will refuse to arbitrate the cases of exchanges that would disobey it.

United Artists ignored the ultimatum, and the exhibitors refused to arbitrate United Artists' cases.

There was an immediate break between the exhibitors and the exchangemen.

For a while matters stood still, neither side being willing to give way. But the exchanges, seeing thousands of their dollars tied up by the arbitration strike, made a frantic appeal to their Home Office (the Hays organization). As a result of this appeal, Charlie Pettijohn, Mr. Hays's right hand, and Mr. Gabriel Hess, Mr. Hays's left hand, threatened to rule the exhibitors out—to declare them arbitration outlaws.

The exhibitors did not budge.

Messrs. Pettijohn and Hess then ruled them out, and suggested to the exchanges to make an appeal to the Chamber of Commerce of Minneapolis for a new set of exhibitor arbitrators, to be selected from non-members of M. P. T. O.

The Chamber of Commerce refused to be embroiled in the controversy.

Finally the exchanges succeeded in some way in having exhibitor-arbitrators appointed.

The organization threatened that, if these exhibitors functioned, it would resort to injunction proceedings.

I don't know the terms of the settlement. It is not the important thing; what I want to call your attention to is the fact that the Hays organization, in order to induce some of you to fight the Brookhart Bill, told you impressively that the bill would open the doors for non-theatrical competition. Many of you took the word of the Hays men and fought that bill (which is not yet dead but only retarded, the adjournment of Congress making action impossible), because you really believed that it was harmful to your interests. Mr. Hays did all this ostensibly because, as his lieutenants stated, he wanted to save you from non-theatrical competition. And yet when an organization of your kind demands that the producers cease from renting films to such non-theatrical places as are in direct competition with you, Mr. Hays rules your arbitrators out and appoints "scab" arbitrators so as to force you to accept a situation metrically opposed to your own!

What a farce! What a pity that there should be exhibitors so short-sighted as to swallow all the "bunk" that is passed out by an organization whose interests are diametrically opposed to your interests!

Will this incident be a lesson to those of you that were led honestly to believe that the Brookhart bill was harmful to your interests? The actions of the producer-distributors in reference to non-theatricals since their statement that the Brookhart Bill would open the door to non-theatrical competition has belied their professions. There have been very few instances where the exchanges refused to sell to non-theatrical places that are in competition with regular theatres. And in these, the action was taken not as a result of orders from the Home Offices but as a result of the belief of sincere exchangemen that it was wrong to ruin the business of the established theatres. It was the honesty of these men, the fearlessness of them, that prompted such action, for as far as my investigations show the producers and distributors, as a class, favor the growth

of non-theatrical places. Don't allow any one to make you believe they do not; they feel that they can create thousands of such places to the few thousands of theatres now in existence and to the few thousands more that may be added in time, and that the revenue from such places will eventually be far greater than the revenue from the theatres.

The Brookhart Bill is your only salvation.

Besides this abuse, the Brookhart Bill will correct also another abuse—that of unjust and unreasonable protection. I have received many heart-rending appeals lately from exhibitors asking my help in solving this problem for them; they have been shut out of film for long periods of time because the circuit theatres wanted to shut the film out of them. I told them that I could not help them in that there was no law to prevent a film distributor from giving an exhibitor in a certain zone a year's (or more) protection over his competitors, even though these might be situated forty miles away. The Balaban and Katz interests in Illinois actually succeeded in getting a year's protection in some towns, as I have been informed by exhibitors. This organization is so "hoggish" in the matter of protection that it has printed a twenty-three page protection provision of its own, and forces the exchanges to sign it under penalty of refusing to buy any of their pictures.

The Brookhart Bill is the only effective remedy. And it is just the time when you can help Senator Brookhart put it over. Election time is on. The politicians would want your vote. Procure a copy of the bill from Senator Brookhart and ask these politicians where they stand. Throw the power of your screen back of him who will give a solemn written pledge that he will vote for the Brookhart Bill, no matter whether he is a Republican, a Democrat, a Socialist or a Prohibitionist. It is the chance of your lifetime to do something for yourself. Don't throw it away!

MAKE YOUR INDIVIDUAL CONTRACTS ONE!

When pictures of different grades are bought from one film concern, it is customary to put the pictures of each grade on a separate contract.

In accordance with the terms of the contract, each application of such group is considered a unit. In other words, the producer-distributor may approve one, two or three of the contracts and reject the rest, and he would be within his rights.

In ninety-nine cases out of a hundred, however, the exhibitor, when he buys the different grades of a producer-distributor's products, buys them all or none, and means to have them accepted, or rejected, as a group. In other words, he does not want the producer-distributor to accept half of the contracts and to reject the other half.

Several cases have been brought to the attention of this office in which a distributor approved the contracts for the features and rejected the contracts for the specials. The exhibitor naturally became indignant, and rightly so.

But technically the producer-distributor is right and the exhibitor wrong, even though the exhibitor is right morally. But it is not the moral rights that seem to govern this industry.

To avoid misunderstandings in such cases, an exhibitor should number such contracts from one to the exact number, and put in the following provision on all contracts:

"This contract is part of a group of contracts, five in all (if 5 is the number of the individual contracts), and it is agreed by both parties that they must be either approved or rejected as a whole."

It takes but a slight effort to insert such a provision in the contracts either by pencil or by typewriter. But it saves much trouble afterwards.

"Power"—with William Boyd, Allan Hale and Jacqueline Logan

(*Pathe, Sept. 23; 6,092 ft.; 70 to 87 min.*)

It is apparent that Pathe tried to duplicate that successful picture, "The Skyscraper," in which the same pair of man stars appeared; but its efforts seem to have proved unsuccessful, for, with the exception of two or three short spots, the picture is uninteresting. It lacks the suspenseful qualities of "The Skyscraper," its comedy, and its love interest. In addition, it is too sexy—the two heroes are presented as lady killers, fighting (friendly) between themselves when the one steals the "girl" of the other. It places the implication is too strong, and the picture becomes unsuitable for the family circle. The spot where the film holds one's interest the most is where one of the friends (Allan Hale) slips and is seen hanging in midair, the end of his trousers having caught in the hook of the chain of the winch used for lifting things for the construction of a dam. The other interesting part of the film is the scenes showing the huge dam. Most of the action revolves around the efforts of one friend to steal the "dame" of the other friend. The girl in the case is a crook, and she had befriended them for the purpose of "digging" into their pockets. By promising each that she would marry him, she succeeds in cleaning up their bank accounts. There is practically no heroine in the story, for Miss Logan is given a villainous part; it is she who is the crook, and the closing of the story shows her on board a train with her confederate, a man, who helped her rob the two heroes, going away with their money in her pocket. The story is, in fact, demoralizing, for the thieves are not shown punished. In this way crookedness is rewarded instead of being punished.

The story was written by Tay Garnett. The picture was directed by Howard Higgin. Jerry Drew, Joan Bennett, Carol Lombard and Pauline Curley are in the cast. William Boyd and Allan Hale make a good pair, but they were wasted on an unsympathetic and demoralizing story.

"Celebrity"—with Robert Armstrong, Clyde Cook, and Lina Basquette

(*Pathe, Oct. 7; 6,145 ft.; 71 to 87 min.*)

It is manifest that "Celebrity" was written chiefly to ridicule Gene Tunney, for its chief character, a puglist, has Shakesperean aspirations. The plot has been founded on the stage play of the same name, which ran at the Lyceum last year only for two weeks, having failed to draw. And the picture is no better than the play. It is an uninteresting story, and in bad taste; ridiculing a person that is loved by the people, as Gene Tunney is, is always in poor taste; it is a personal affront, and those that respect the person that is ridiculed no doubt resent it. The hero of the picture is an illiterate person. His manager sees an opportunity to make him a drawing card and puts out stories that he is studying Shakespeare. His manager hires a "mother" and a "sister" for him; they are just as illiterate and ill-mannered as the hero himself. The hero falls in love with a girl (not the "daughter" of the family). He makes an attempt to write poetry and makes a mess of it. A fight is arranged with a supposed world champion. The manager of his opponent, in order to break the morale of the hero, has a man of his steal the hero's "poetry" and has it published in the newspapers on the day of the fight. A copy of the paper is purposely given the hero. The trick works; the hero, thinking that the heroine and his manager gave out a copy of his poetry for the purpose of humiliating him, feels humiliated and angered; he avoids the one and upbraids the other. During the fight the hero is incensed at the presence of his manager. The rival finds it easy to give the demoralized hero hard blows. The hero is knocked down several times but the gong always saves him. Once, however, the rival is so careless that he leaves himself unprotected. The hero grasps the opportunity to give him a hard blow and to knock him out. In the dressing room the hero knocks his manager down then regrets it, particularly when he is convinced that his friend manager had not double-crossed him. The manager tells him that the heroine is in the auditorium, waiting for him. He rushes there and they embrace.

The plot has been founded on the stage play by William Keele. It was directed by Tay Garnett.

"Waterfront"—with Dorothy Mackaill and Jack Mulhall

(*First National, Sept. 16; 5,976 ft.; 69 to 85 min.*)

A nice little comedy, with action fast enough to hold the interest pretty alive all the way through. The comedy is caused chiefly by the good acting of this pair of fine comedians. The action gathers speed when the hero attempts to avoid the heroine's father, who does not want him around his daughter. The story takes place on and near the waterfront and on board a tug, of which the heroine's father is the captain. Hero and heroine become acquainted when the heroine's father, forgetting himself when in sight of his home, nearly rams a tramp steamer. The hero and his pal, an oiler and an assistant oiler, respectively, on the tramp steamer, "razz" the captain for his supposed ignorance of his work, but the hero is struck by the beauty of the heroine. He follows her and decides to call on her, but the father discovers him and throws him into the water. The hero, however, is persistent, his persistency being caused also by the fact that the heroine appeared to like him. The father, in order to "save" his daughter from the impudent sailor, tells the heroine that they will move to the country, to some farm. The heroine doesn't want to go on a farm. When he overhears the hero proposing to the heroine marriage and a home in the country on the farm, the father changes his opinion of the hero. But so does also the heroine; she did not want to leave the city. Hero and father conspire and have the heroine shanghaied so as to cure her of her desire to go to sea. The trick succeeds; the heroine decides to follow the hero to the country and to live on a farm.

The plot has been founded on a story by Will Chattell and Gertrude Orr. The picture has been directed by William A. Seiter, and supervised by Ned Marin, that live wire young producer. James Bradbury, Sr., Knute Erickson, Ben Hendricks, Jr., William Norton Bailey, and Pat Harmon are in the supporting cast.

"The Air Circus"—with Arthur Lake, David Rollins, Louise Dresser, Sue Carol, and Charles Delaney

(*Fox, Sept. 30; 7,177 ft.; 83 to 102 min.*)

If the talk were left out from the few scenes where the players are made to talk, "The Air Circus" would not be a bad picture, for its players are youthful and pleasant, its human interest is tender, it is thrilling, and the action keeps the spectator comfortably interested in what is unfolded. The youthfulness of the characters imparts to the picture a cheerfulness that no other feature could have imparted. The talk between mother and son (Louise Dresser and David Rollins) in the airfield where the mother went after a premonition that something had happened to her boy has made people at the Gaiety, where the picture is playing, laugh deridingly; it is too much "sob stuff" with the talk, and has a deterrent effect. The background of the story is an aviation school, and the action shows in a precise manner what a young man must go through with to become a full-fledged aviator. The action is realistic in the extreme. The scenes where the young chum of the hero is shown crashing on the ground in his first attempt to fly alone and losing his nerve are so realistic that one feels as if present in a real accident. The scenes that show the young man, who had a yellow streak on his back, entering an aeroplane and flying to warn the hero and his sweetheart (Arthur Lake and Sue Carol) of the fact that their landing gear had been stripped off while taking off are thrilling in the extreme. His desire to save the lives of his friends, which cures him of his fear, touches the spectator.

The plot has been founded on a story by Graham Baker and Andrew Bennison. It was directed by Howard Hawks well. Arthur Lake, Sue Carol, David Rollins, Louise Dresser and every one in the cast does good work. Heinie Conklin contributes some comedy. There is, in fact, considerable comedy provoked by the good acting of the principals. Louise Dresser furnishes most of the human interest. The love affair between Arthur Lake and Sue Carol is charming; it is not free of clouds. And this is what makes it more interesting, because of its fidelity to life.

While a good picture, it is not a \$2 or even a \$1.50 picture; regular prices should be charged for it.

"State Street Sadie"*(Warner Bros., Aug. 25; Silent 6,313; Sync. 7,169 ft.)*

Richard Watts, eminent critic of the New York Tribune, called this picture "Thate Thtrete Thadie." And that is exactly what it is, for the Vitaphone (phonograph) characters cannot pronounce the letter "s". Every time they attempt to pronounce it they make it sound as a protracted "th" hard, or "f". So with the "sh"; only that it is dragged longer. As to the talk itself, this occurs in only a few situations. And it is bad to see the characters start talking when they acted silently before, or stop talking suddenly. The change from the one to the other gives the spectator a shock. It destroys the illusion for several seconds, making the spectator realize that the world he was in was only a make-believe. This is fatal, for unless a picture creates a perfect illusion it cannot be said that it interests the spectator.

As to the story itself, it is mediocre. It is about a twin brother who comes back to the United States from South America with plenty of "dough" and finds his brother dead (suicide by gas). A note told him that he was a bank teller, that a big amount of money had been taken from his cage at the bank, but that the "boss", (leader of the thieves) was so powerful that he could not hope to make his innocence believed. So he ended it all. The brother (hero) induces the police authorities to let him impersonate his brother, whose exact image he was, so as to break up the gang and to get the necessary evidence to arrest the murderer. The hero happens to meet the heroine, daughter of a murdered policeman, and falls in love with her. The heroine at first took him for her father's murderer. But when he tells her who he really is, she joins him in his efforts to catch the murderer. The heroine poses as an underworld girl, and the hero as his dead brother. Eventually the hero succeeds in reaching the leader of the crooks. The crook becomes aware that the hero was not the hero's brother and is about to shoot him when the hero turns the tables on him. The lives of the hero and heroine are put in danger when the hero's identity becomes known to the crook leader, but the heroine succeeds in notifying the police authorities, who reach the battle scene in time to round up the crooks.

The voice of William Russell does not register well. The voices of others, too, fail to register well. Only the voices of George Stone and of Conrad Nagel are good. Myrna Loy's is so-so. The pistol shots do not register well; they sound like puffs. The action holds one in suspense in some places. On the whole the picture is only fair. And the public has not gone wild over it if one is to judge by the crowds that are attracted at the Strand; they are not great. The picture is now in its second week, and the crowds are very slim.

The silent version should not deserve a better classification than a fairly program picture.

"Midnight Life"—with Francis X. Bushman*(Gotham-Reg., Aug. 15; 6,200 ft., 72 to 88 min.)*

Only fair. It is a gangster melodrama with some suspense and a few mild thrills.

The story revolves around a lieutenant detective (hero) who is determined to get the man higher up when his pal is killed. Through his gang, wholesale silk robberies are committed and policemen "bumped" off whenever they were about to "get him." The villain, a henchman of a crook, who poses as a wealthy man about town, invites a cabaret dancer into his office and forgets that she is there when the gang meet and kill the hero's pal. The hero, sensing the girl's knowledge of the crime, protects her from the villain when he is about to attempt to get rid of her, too, because of her knowledge, and in return she tells him how the murder took place. Instead of going into the office himself after making an appointment with the gang, the hero sends in the real crook; he was looking for the villain that had been killed in the girl's apartment by the hero, and he gets the "works."

The suspense is caused by the hero's taking his life into his hands in his efforts to avenge his pal's death. The thrilling scenes occur in the office of the villain who ran a cabaret on the side, when the gang "bumped off" anyone who interfered with their plans, by inviting the victim into the office which was put in darkness so that the victim never knew who shot him. Francis Bushman is good as the toothpick chewing goodhearted detective-lieutenant.

Gertrude Olmstead is a charming cabaret dancer very much in love with her dancing partner, Eddie Buzzell, who is fair enough. Others in the cast are Monte Carter as the henchman and Cosmo Bellaw as the wealthy crook and villain. The picture is based on Reginald Wright Kaufman's novel "The Spider's Web," and was directed by Scott Dunlap.

A double bill program picture.

"Sweet Sixteen"—with Helen Foster and Gertrude Olmstead*(Rayart, Aug. 15; 5,991 ft.; 69 to 85 min.)*

Not so bad. The story, a conventional one about modern youth, holds one's interest pretty well; it conveys a lesson to wealthy parents, particularly to fathers, that they should not leave their growing children too much to their own devices lest they get into trouble. Helen Foster is a likable youngster as the sixteen year old daughter of a banker who was tired of being left alone and treated like a baby. Gertrude Olmstead is good as the elder sister (heroine), who objected to her sister's butting into her affairs but who sacrifices her happiness to save her from undesirable notoriety through her madcap adventures. Lydia Yeomans Titus adds a comedy touch as "granny" and William H. Tooker is fair as the negligent father who loses his wealth but wins the affections of his child.

The story revolves around the younger daughter of a wealthy father who is romantic and falls in love with a man of questionable character (villain). He takes her to cabarets, teaches her to drink and takes her to his apartment, promising marriage but backing out when the girl suggests it. The heroine learns that her sister is in the cabaret with this bounder. The place is raided. To prevent her sister from being arrested, she pretends to have gone there with the villain. Her fiancé misconstrues her motives and begs her to explain but because she wanted to protect her sister, she refuses and breaks her engagement. His faith in her, however, soon brings him back to her and they learn that the young sister had gone to the villain's apartment. They also learn that their father had lost his money. When they get to the villain's house, they find him and the father who had gone to get his daughter in a fight. The hero and the grandmother beat him up and all ends well.

The picture was directed by Scott Dunlap from the Photoplay Magazine story by Phyllis Duganne. Others in the cast are Harry Allen and Reginald Sheffield. Gladden James, as the villain, is good.

A NEW REGIONAL

The first editorial in the new regional publication, "The New York State Exhibitor," is entitled "Barrist and Goodwin Present."

It is hardly necessary for me to tell you who Barrist and Goodwin are; their names have been mentioned in these pages so often that I am sure every subscriber and reader of Harrison's Reports knows the pair by this time. But lest there is even a single subscriber or reader of this paper that does not know who they are, I ask their permission to say that they publish "The Exhibitor," a regional in Philadelphia, "The National Exhibitor," a regional in Washington, D. C., and "Brevity," the well-known comic paper, the gem of the motion picture industry, which, too, is published in Philadelphia.

Mr. Goodwin is the directing business genius, and Mr. Barrist the directing editorial genius. Dave Barrist's pen is fearless; he prints the truth, regardless of the consequences to the pocketbook of the firm. I have known this by personal observation. And that is why they command the respect of the entire industry.

Dave Barrist and Charlie Goodwin are now honoring the New York zone; they have just put out the first issue of "The New York State Exhibitor." It is rich in matter, and artistic in composition.

I was going to wish the new publication success, as is customary. But after a second thought, I changed my mind, for I feel that wishes in a way convey some doubt as to whether the "wished" thing is going to make a success or not. In the case of Dave Barrist's and Charlie Goodwin's "The New York State Exhibitor," I haven't the least doubt; I know it will be a success.

NO ARTICLE ON TALKING PICTURES THIS WEEK

In order for me to get an opportunity to dispose of some other matters that have accumulated, as well as to get the necessary time to collect more material on the subject, I am postponing the fifth article on talking pictures and instruments. I may be able to have another one ready by next week. In the meantime I may say that the first four articles have created a deeper impression than anything that has ever been written concerning the moving picture industry.

The New York World reproduced the first article in two installments in two Sunday issues. *The Irish World* has reproduced that article, too. The editor of the *American Railway Express Journal* has requested an entire series sent him.

Mr. Merritt Crawford, well known in the industry as a writer, having been connected with many of the trade journals, wrote me as follows:

"Congratulations (if belated) on your fine series on 'Sound Pictures.' They are quite the best, most informative, and most intelligent articles that have yet appeared in any of the trade papers (or elsewhere) on this most complicated invention.

"Your labors in collecting this material and arranging it, obviously must have been very considerable, and they certainly were painstaking, and you deserve the thanks of the whole industry.

"Probably you will get no recognition for your efforts to clarify the problems which confront all branches of the film business, but this will serve at least to record the appreciation of one of your friends."

Mr. Leonard Hall, Assistant to the Publisher of the *Photoplay Magazine*, writes:

"Just a note of appreciation for your invaluable series on sound, the fourth installment of which appears in your issue of September 8th.

"Reading it I am struck with the worth of these pieces of reference. I let the first three of the stories get mislaid and so lost. I wonder if you could possibly have some one dig up the first three sound articles and have them sent to me, in order that we may keep them for future use! Mr. Quirk and I would appreciate it greatly."

Zit's Theatrical Newspaper wrote as follows in the issue of September 8th:

"According to Pete Harrison's 'Reports,' some of the talk about building sound studios on the coast is the sheerest bunk. Pete is no alarmist, and his present series of articles on sound pictures is some of the best stuff yet written about the talkers. We don't believe that Pete wrote it himself because he has not used the word 'suspensive,' (N. B. I thank Mr. Sergeant for the compliment), but whether Pete wrote it or got it, it is sane, intelligent and very clearly authoritative.

"And Pete says that some of the studios will not be built because the sound-proofing material cannot be contracted for in time for this season.

"It's easier to build sound-proof studios on paper and in the papers than on the lots, and there is such a lot of tall lying going on that you don't believe anything the press agent sends out. On the other hand, Pete never has gone in for sensationalism, and when he says a thing it is generally on information. . . ."

Mr. David Barrist, the popular editor and publisher of *The Exhibitor*, of Philadelphia, and of that comical paper, *Brevity*, wrote partly as follows in the September 1 issue of *The Exhibitor*, under the heading, "The Craze for Sound":

"... In all this hurly-burly of excitement there is no voice to lead the exhibitors out of the wilderness of doubt. Cool-headed judgment is almost entirely lacking. Opinion dictated by self-interest only can be heard. The producer who is fortunate enough to be prepared with a number of completed sound pictures, is loud in his prediction of the future of this new entertainment, while the manufacturer who has been caught napping and finds himself without any talkies to compete against the rival companion, is equally emphatic in his opinion that the talkies are but a passing novelty.

"The nearest approach to some constructive analysis of the situation is a series of articles appearing in Harrison's Reports, under the general title of 'Facts About Talking Pictures and Instruments,' the first two of which appeared under date lines of August 18 and 25, respectively. These

articles are both clear and comprehensive and cover the sound picture from every angle. While they do not attempt to hazard a guess as to the future of the talkies, the articles at least furnish the exhibitor with a clear understanding of the different devices on the market, their relative faults and merits, cost of installation, supply of picture service and such other information as to give the theatre owner the knowledge he needs to help him decide the question of whether or not to install sound.

"More than that at present nobody can safely predict."

* * *

It is my intention to collect and print every bit of information about talking pictures in existence so that an exhibitor may not be compelled to be writing letters here and there to get it.

The article about the non-synchronous instruments, particularly about the cost of records, should prove of great interest to every small exhibitor, no matter whether he is in a small town or in the neighborhood of a large city. I have part of the information on hand already.

If any exhibitor has any information on the subject that would prove of benefit to other exhibitors, let him send it in. Those who have had experience in talking pictures are in a position, I am sure, to help other exhibitors. Articles from them will be welcomed.

Since my announcement that I would review non-synchronous instruments with a view to advising you, I received letters from several makers of such instruments asking me to include them in such a review.

I shall be glad to describe in Harrison's Reports the non-synchronous instruments of every concern, if I can hear the instrument play and have an opportunity to examine it under actual conditions; otherwise I will not review them, for under no condition will I recommend the subscribers of Harrison's Reports to buy something I have not examined personally. Each of such concerns should install an instrument in this city so that I might hear it. And then I shall review it in these pages only if the manufacturing concern is a reputable one, able to fulfill its obligations toward such theatre owners as may decide to buy its instrument. The present demand for synchronous as well as non-synchronous instruments will naturally give rise to many fly-by-night concerns, and Harrison's Reports will do all there is in its power to protect you from such concerns.

RETURN OF PRINTS

There have been reported to this office lately several cases in which a print was lost or destroyed in transit from the exhibitor's theatre to the exchange, and the exchanges demanded of the exhibitors the full value of the print in accordance with the terms of the contract. In some instances the exchanges attempted to collect from the exhibitors on the ground that the prints were not insured by them when they were shipped to the exchange.

The last two lines of the Twelfth Clause of the Standard Exhibition contract read as follows:

"It is agreed that the delivery of a positive print properly directed and packed in the container furnished by the Distributor therefor, to a carrier designated or used by the Distributor and proper receipt therefor obtained by the exhibitor, shall constitute the return of such positive print by the exhibitor."

Notice that nowhere does this clause state that the exhibitor must insure the print; the responsibility while the print is in transit from the theatre to the exchange is the distributor's; therefore the exhibitor is not obligated to insure it.

But the contract demands that the exhibitor obtain "proper receipt" from the carrier, and as no receipt is issued when the print is shipped uninsured by parcel post, the exhibitor is responsible for the price of the print, at least technically. If he should be able to obtain a receipt of shipment, in the form of a statement or of an affidavit, from the postmaster, thus proving that he shipped it, then he complies, in my opinion, with the requirements of the contract; in case he can not, he will have no way out but pay for the print.

In my opinion, the exhibitor can be protected by a receipt and still save the cost of the high insurance in this way: let him insure the film for the minimum insurance fee, which by parcel post is five cents.

HARRISON'S REPORTS

Yearly Subscription Rates:
United States.....\$10.00
U. S. Insular Possessions 12.00
Canada and Mexico.. 12.00
England and New Zealand 14.50
Other Foreign Countries 16.50
25c. a Copy

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, SEPTEMBER 22, 1928

No. 38

A JUSTIFIED COMPLAINT FROM THE COAST

Los Angeles, Cal., September 11, 1928.

Mr. P. S. Harrison,
1440 Broadway,
New York City.

My dear Pete:

As usually, when you hear from me I am all wound up and want to ask a bunch of questions about something I have on my chest. Now that you know the reason for this letter, here I go!

Here on the Coast (Los Angeles, San Bernardino, Riverside, Orange, and San Diego counties, most particularly in the Los Angeles county), there is a menace that needs immediate attention. I am referring to the so-called "Previews."

In order that you may understand fully what a preview is, let me try to explain: When a picture is finished, it is taken to a theatre and shown to an audience; the producer, star, director and cast attending. This is done five or six times before the picture is shipped to New York.

The people have fallen for this Preview stuff and all that is necessary now is for a theatre to advertise a Preview and the natives flock to it, leaving the other theatres in the immediate neighborhood with empty seats for that evening.

In the early days, a picture was put on "cold," without any advertising; it was shown to whatever number of persons happened to be in the house. But now it is different; a Preview is advertised in the papers extensively, by newspaper ads, handbills, and so forth, and often a searchlight is put on the roof to attract the attention of the passersby as well as of the residents nearby. The title of the picture is not given, but the name of the company that produced it is.

The word "Preview" is now a bigger natural than ninety per cent. of the pictures produced and the attendance is usually on a par with "Big Parade," "Wings," and other such pictures. In other words, it is capacity house for the performance.

The Previews are put on in addition to the regular show, consisting of the regular feature, with their Fanchon & Marco, or "Paul Whiteman and His Band," as you would call it in New York, taking the people in the theatre around seven o'clock and letting them out around ten thirty to twelve midnight. You can see for yourself what effect this has on the picture-going public. It is like eating half a gallon of ice cream at one sitting. They fill up and won't go to other performances until now it is getting so that they come out only when there is a Preview on.

And this is not all: in addition to these Previews there are others; many exchanges rent pictures for Previews just as soon as the picture is received by them, and many of the large exchanges permit West Coast Theatre Circuits to take out a picture and show it in a "Preview," until now one must, in order to do anything like a reasonable business, have a studio Preview, or an exchange Preview, which is certainly a misrepresentation.

Paramount and Metro-Goldwyn, who force us to accept in our contracts a rubber-stamped provision forbidding us from double-features their pictures, permit West Coast to run Previews with their pictures, and also rent their pictures to be Previewed when another feature picture is shown at the same time. This is certainly establishing two policies, the worse of the two to be applied on the small exhibitor.

The Preview habit has assumed such proportions that it has reached even San Diego, 135 miles away from the studios. It has now spread to the down-

town (first-run) houses in Los Angeles, and even in Vaudeville houses, as you will see from the enclosed clippings. Think of it! A Pantages Vaudeville house, showing their entire line of vaudeville acts with Tom Mix in "Cheyenne" as a studio Preview!

I have talked with a number of exchange managers protesting against this condition, but they answer that they have no control over it because the Previews are put on by the studios.

Now, here's my contention in the matter:

(1) A Preview is a "run" and comes under the terms of our contract if we have bought such a picture. That is, if the first-run house has the picture bought and I have it bought second-run, when such picture is shown at a first-run house as a Preview, irrespective of whether it is a Studio or an Exchange Preview, I am entitled to the picture on my clearance (protection), and I should not be compelled to wait until the picture was shipped to New York and re-shipped to the local exchange, to be shown in Los Angeles on its release date. If I don't get it as I claim, then I am getting the picture third-run. Am I right?

(2) If a picture is Previewed in my town and later that same house shows it again in a regular run, when I go to buy it afterwards I am not buying a second-run picture but a third-run. Am I right?

A member of the Film Board of Trade asserted to me that a Studio Preview is not a run. I replied thus: Suppose I am in a small town and A showed in a Preview the picture that I bought, regardless who Previewed it, where do I come in afterwards when almost every one in the town has seen it? He came back by saying that I have to pay for the picture no matter whether I played it or not. How about that for logic?

There are some houses that preview five or six nights a week and they Preview with such pictures as "Beau Geste," "Ladies of the Mob," and others; in fact, with all, superfeatures as well as the little ones—it makes no difference. That is where the Key house gets the break over the subsequent runs. If a subsequent run should happen to get a Preview now and then, the first-run houses see to it that it does not occur again if the picture happened to be one they had on their contract.

(3) Now, here is the vital question, Pete! If an exhibitor wanted to stop this abuse, whom should he apply to? Where can he go to have a definite ruling as to whether a Preview is a run or not? Is it a matter for the arbitration board? I personally do not believe it is until its status is established. Then an exhibitor can prove that his contract is violated by a Preview. The Film Board representative I talked to asserted that the motor car manufacturers try out an automobile before I get it. That's true, but they don't give it to my neighbor to run around and get value out of it before they deliver it to me.

I thank you, Pete, to take this matter up with your attorney and let me know what he says.

In closing I may say that I am not opposed to the studios' Previewing their pictures if they will only take the darn things out where they will not conflict with other theatres.

Very sincerely yours,

* * *

The answer: Previews were conceived by Mr. D. W. Griffith. His intention was to see not how much the picture would draw but what would be the

(Continued on last page)

"The Red Mark"—with a Special Cast*(Pathe, Aug. 26; 7,937 ft.; 92 to 113 min.)*

Excellently produced, but too gruesome. The action unfolds in a supposed French penal colony and there is nothing pleasant either in the action or in the background. The doings of the villain are more prominent than the doings of the hero or of the young heroine. For instance, he is presented as a cruel man, a person who stretches the point considerably to bring about an execution so that he might rob the executed person of whatever valuables he might have hidden either on his person or in his cell. The characters are either convicts or children of convicts. The hero is presented as a convict, sent to the Island for having been found guilty of picking pockets. He falls in love with the young heroine, born on the island. The executioner (villain) wants the heroine as a wife and implies to the hero that unless he keeps away from her he might never leave the island, although he was notified that he was free to leave in a week. The hero murders the executioner's representative, and is sentenced to be executed on the guillotine when the executioner discovers on his neck a red mark, which makes him realize that the young man is his son, whom he had been seeking for years. He stops the execution. The hero follows the heroine, who had been taken to France by the nuns. They marry.

The plot has been founded on the story by John Russell. The picture has been directed by James Cruze. Gaston Glass is the pickpocket hero; Nena Quertano, the young heroine; Gustave Von Seyffertitz the executioner. Rose Dione, Eugene Palette and others are in the supporting cast. All do good work.

The picture is too strong to entertain the average picture-goer. It is no doubt more suitable for little theatres, where "odd" kind of pictures are shown.

"The Circus Kid"—with Frankie Darro*(F B O, Oct. 7; 6,085 ft.; 70 to 87 min.)*

"The Circus Kid" is supposed to belong to the group of six specials that have been sold this season. From the point of view of quality, however, it is not even a Gold Bond. I doubt if many of you can show it even as a program attraction, unless your custom consists chiefly of children. The first mistake was made by FBO in taking Frankie Darro from the program pictures and putting him in specials. Master Darro is a fine little actor, well enough; but experience has taught us that children do not draw in big pictures. Even the pictures of Jackie Coogan have lost ground.

The second mistake FBO made was to give him a weak story. They tried to strengthen it with a circus—with lions and other animals, but without success.

The story has little Darro as an orphan, who runs away from the orphanage and accidentally finds himself in a cage where a ferocious ape was kept. Instead of harming him, the ape befriends the little hero. This leads the little hero to an opportunity to become a member of an act in the circus.

There is a lion tamer in the story (Joe E. Brown), who is in love with a young girl (heroine), but who keeps his love secret. He takes to drink. While in an intoxicated condition he is attacked by a lion and is so frightened that he loses his nerve and can no longer enter a lion's cage again.

The closing scenes offer some excitement. A lion breaks out of his cage when the tent was full of people and the lion tamer risks his life by grabbing the lion and struggling with it until the guards arrive and shoot it. But the lion tamer, too, loses his life.

The plot has been founded on a story by James Ashmore Creelman. The picture has been directed by George B. Seitz. There is nothing the matter with the direction; simply the story is not strong. Helene Costello is the heroine. Sam Nelson, Lionel Belmore and others are in the supporting cast.

"The Divine Sinner"—with Vera Reynolds*(Rayart, July; 5,683 ft.; 66 to 81 min.)*

A mythical kingdom story in which the heroine does nothing to win the spectator's interest. She is the daughter of a war-torn family of the Austrian nobility, who goes to Paris with the determination to make

money enough to replenish her family's fortunes and to try to restore her youngest brother's sight, which he lost in the war. At first she is unable to get employment because of the advances made to her by those who wished to employ her. But her talent as a designer procures her a good position with an eminent dressmaker. But he, too, makes insulting proposals. In despair she is about to return home defeated when a fellow-countryman, discovering her ability to copy signatures, offers her the chance to live in splendor merely by forging checks, particularly by forging the signature of the dissolute Prince Miguel. She is caught by the police and is given the option of serving a sentence on Devil's Island or becoming the charmer of this same Miguel, to prevent him from returning to his own country. She at first refuses but when her blind brother is brought to her, she decides to accept the proposition. In two weeks she falls madly in love with the man whom she had denounced as a despoiler of women. His father dies, and he is told that he is the new king. She at first persuades him to go back. But he follows her to the border. She finds that she loves him too much. He gives up his crown and they live together.

Miss Renyolds is a charming heroine. Ernest Hilliard is fair enough as the woman-pursuing prince. Harry Northrup is the Ambassador and Nigel De Brulier is the Chief of Police, who both persuade the heroine to take the job of ensnaring the prince. The picture was directed by Scott Pembroke from a story by Robert Anthony Dillon.

"Shadows in the Night"—with Lawrence Gray and Louise Lorraine*(Metro-Goldwyn, Oct. 26; 5,448 ft.; 63 to 77 min.)*

For an intelligent person to enjoy this picture he must assume that detectives and police officers in general are stupid, and that newspaper reporters, who undertake detective work for the purpose of getting a story, are not very intelligent. Otherwise one could not explain the conduct of the characters of this melodrama. The hero of this picture lacks reasoning powers to such a degree that he thinks that the crooks he is after will not become suspicious when he tells them that he has just come out of jail even though he has a fine breed of a police dog with him and has his hair combed smooth. And as if by a miracle, the crooks, who are supposed to be tough, very tough persons, do not suspect him.

There is a girl in the case, too; it comes out in the action that she had been forced by the arch-crook to do his bidding ever since he had framed her father and sent him up the river. Of course, she hadn't intelligence enough to run away from the crooks and tell the police authorities that she had been used as a decoy to trap policemen so that the crook leader and his gang might exterminate them. Nor are the policemen on the beat supposed, according to this picture, to possess any intelligence; a sergeant, who knows that the crooks are after him, enters the lair of the crooks, confronts the villain, and orders him to put forward his hands so that he might put his handcuffs on them. All the while the officer had his hand away from his hip, whereas the villain had it in his coat pocket, holding a pistol. The officer walks right up to the villain. And what happens is what would have happened in life under similar circumstances; he drops dead, with a bullet in his heart. In a situation that follows the killing of this policeman, the hero, who had obtained a position in the villain's saloon by pretending to be a jailbird, with a gun in his hand, pointed at the villain, walks right up to him when at the same time he was putting the gangsters behind his unprotected back. To accomplish all these offenses to the commonest logic requires, you must admit, directorial and other producing ability of the highest order.

The picture is an illogical melodrama. But because individual situations are thrilling and suspenseful, and because the hero takes chances with his life to save the heroine, picture-goers of the rank and file will like it to the point of cheering it. Flash, the police dog, possesses intelligence to an uncommon degree. And this will help the picture to go over with such picture-goers.

The plot has been founded on a story by Ted Shane. The picture was directed by D. Ross Lederman.

"A Grain of Dust"—with Ricardo Cortez and Claire Windsor

(Tiffany-Stahl, July 10; 6,192 ft.; 71 to 87 min.)

Not a bad program picture for smaller houses. The story, adapted from the David Graham Phillips novel, revolves around a well-to-do engineer (hero), who is engaged to the heroine, a society girl. He becomes intimated with a common, vulgar, stupid typist, whom he chanced to engage to work for him one evening to catch up with his work. He gives up his position in the world, causes his office to be ruined, elopes with her to Havana, and wrecks himself by becoming a hard drinker. Of course his love for her was not very lasting, and, having tolerated her as long as he could, he returns to New York, only to discover what havoc he had wrought. He becomes a tramp, having sunk pretty low in the world, when the heroine's chauffer spots him in the street and tells the heroine about it. She makes the hero talk to her and after telling him that she would wait for him till he made good again, he gets the chance to prove his worth.

Ricardo Cortez is a very good hero. Miss Windsor is seen very little in the picture, but she is charming. Alma Bennett who has lots of "it" is very good. The picture, while rather sexy, is never offensive. It was directed by George Archainbaud.

"The Albany Night Boat"—with Olive Borden

(Tiffany-Stahl, July 20; 5,748 ft.; 66 to 82 min.)

Not a bad program picture of the neighborhood calibre. It has a few thrills and some suspense.

The opening scenes are thrilling in that the hero and his buddy, while operating their searchlight on the Albany Night Boat, spot a girl leaping from a yacht away from a man who was trying to make love to her. The hero rescues her but his pal (villain), pretending to have saved the heroine, invites her out. Not liking him, but appreciative of his having saved her life, she goes with him. When he moves to her boarding house, the hero going along, too, she learns that it was the hero who had rescued her and immediately falls in love with him. They go to Coney Island and the hero, taking her home, proposes marriage to her. Not losing any time, they get married the next day. They like a nice bungalow but cannot afford to rent it. The villain offers to pay half the rent. The heroine does not want him but the hero, not noting how his pal wanted the heroine, accepts the offer and for a while things go smoothly enough. But the villain, pretending to be ill, goes home one night and attempts to attack the heroine. The hero, as was his custom, flashes the light on his home and sees his wife running away from his pal. He jumps overboard and swims to the house in time to rescue his wife. His eyes opened, he chases his pal out.

The scenes of the rescue are thrilling. The rides down in Coney Island were done very well indeed. The suspense is caused by the heroine's knowledge of the pal's evil intentions, knowing that he would some day overstep the bounds of decency, and the hero's unconsciousness of his friend's treachery. Olive Borden gives a very good performance. Duke Martin is a good villain. Ralph Emerson is a likable hero.

The picture was directed by Al Raboch from a story by Wellyn Totman.

LET MR. HAYS ANSWER THESE QUESTIONS

(Copied from "The Exhibitor," of Philadelphia)

The Copyright Protection Bureau

There is something distinctly unsavory about permitting an exhibitor to continue a practice of hold-outs, with a full knowledge of such practice, in order to penalize him more heavily at some future time. Common sense would dictate that when an exchange has knowledge of contract violations, yet permits them to continue, it is acquiescing in the practice and, by its silence, is lending weight to the theatre owner's argument that he has a verbal agreement covering such hold-overs.

For the chronic contract breaker there is no sympathy and every decent exhibitor will co-operate in any move aimed at his cure or extinction. But the

methods and practices which the Copyright Protection Bureau are employing to correct this evil are open to the strongest kind of criticism. This detective body has set up an inquisition as cruel and as vicious as anything the industry has ever known.

Under the banner of a righteous cause this inquisitorial group has been "inviting" exhibitors detected in holding over shows to settle the matter secretly to avoid the notoriety of having the offense aired before the Arbitration Board. The club which is being employed to influence such settlement is the Federal Copyright Law, which imposes a penalty of \$250 for each violation, plus a year in the Federal hoosegow if additional suasion is needed.

No attempt is made to "fit the punishment to the crime." No distinction is made between the habitual violator and the exhibitor whose past record is clean. Nor is there any pretense of squaring the damages asked with the amount of the damage done. As a result we find a poor little Italian "exhibitor," caught holding over at the cost a couple of hundred dollars in film, hailed before the gentlemen of the Copyright Protection Bureau and informed with all due solemnity that he has offended Uncle Sam and the only way that this offense can be wiped out is by payment to the Copyright Protection Bureau of \$2,800! (Probably more than his theatre is worth.) When the exhibitor with tears in his eyes protested his inability to pay, the amount was pared down until it reached \$400.

The activities of these sleuths appear to be directed chiefly against the small exhibitor. These theatre men, who are holding on to their little businesses by the skin of their teeth, are charged, not with bicycling or playing a picture which they have not paid for, but with holding over for an extra day film which has been played and paid for only for use on the one or two days. In many cases the earnings of these shooting galleries are so small that the owners find it necessary to engage in some side employment to eke out a livelihood. It would appear that what these exhibitors really need is the sympathy of the exchange men and a readjustment of their film rentals. These are no subjects from which to exact a pound of flesh.

Whether the hold-out of a show comes within the offenses covered by the Copyright Law has never, to the best of our knowledge, been judicially determined. It seems strange, therefore, to find exhibitors who have suffered so much by the arbitrary interpretation of this statute in connection with the music tax, lending their support, as arbitrators, to a further use of this club against fellow-exhibitors in the instance where it was never intended—namely, the hold-over of film.

The industry today is on a cleaner and more ethical basis than ever before in its history, and credit for this is due not the Copyright Protection Bureau, but to the splendid system of arbitration which has been developed. Left to themselves, the exhibitors and exchange men are fully capable of scotching any little garter snake that shows its head among the picnic dishes without the aid of this mighty crew of huntmen. Any attempt to set up an extra-legal body to prejudice cases before they are heard by the Joint Board of Arbitration is a direct slap at arbitration.

And while on the subject there are several questions which many exhibitors would like answered:

1. Who, what and why is the Copyright Protection Bureau and why are its activities shrouded in mystery? It is possible to have secrecy without mystery.

2. Who gets the fat fees and penalties that are collected by them in settlements "out of court?"

3. Why, when an exhibitor is detected in the practice of holding over film in violation of his contract, is this practice permitted by the exchange to continue until such a time as the Copyright Protection Bureau gets ready to take action?

4. How is it possible for film regularly to be played an extra day or two without the salesmen who cover the territory having knowledge of such hold-out, and if they have such knowledge and permit the practice to continue, who is to blame?

DAVID BARRIST.

(Editor's Note: The Copyright Protection Bureau has its headquarters in the office of Motion Picture Producers and Distributors, of which organization Mr. Hays is President.)

reaction of the public to it. He would place a number of persons in different parts of the house to make notes of whatever they overheard the spectators say. The picture was never advertised. And it would be shown at a theatre that would not conflict with other theatres.

The present Preview policy is a degeneration of the Griffith idea.

Since pictures are now previewed not to find out what the public thinks of the picture so as to give the producer an opportunity to correct defects but to see how much the picture will draw, a Preview is a "run," particularly when it is shown in competitive theatres. Therefore, an exhibitor who shows the picture after the first-run house has shown it a second time is not receiving it second-run but third-run. The logic of the exchangeman who uses the argument of motor cars is unsound; it is prompted by the knowledge that the exhibitor is helpless to change things.

When a picture is so previewed, the surrounding territory theatres as well as the second-run exhibitor should be entitled to the picture immediately—in accordance with the terms of the protection stipulated in the contract.

The fact that West Coast theatres are showing Previews five or six times a week is the best proof that a Preview is a "run." It is a profit-making enterprise and not a test.

But how is this condition to be changed? If one should take this complaint to Mr. Hays, he would most likely say that it is outside his province by reason of the fact that his contract forbids him from meddling with the purely business affairs of the members of his organization. I may be mistaken, but such is my opinion. But in order to make sure, take it up with him!

In case Mr. Hays should refuse to intervene for the reasons just stated, then there is just one other way: let the exhibitor-arbitrators of the Los Angeles Arbitration Board refuse to arbitrate cases of producer-distributors who allow their pictures previewed in other than non-competitive theatres. That will perhaps cure the evil.

In reference to the stamped provision in the Paramount and Metro-Goldwyn contracts forbidding an exhibitor from double-features their pictures, let me inform every exhibitor that the Metro-Goldwyn and Paramount Home Offices do not enforce this ruling on themselves; the Loew circuit shows their pictures on a double feature bill. The New York Theatre, the Circle Theatre, the 86th Street, all New York Loew houses, show double features. And they do not hesitate to put their own pictures on such double bills. Nor are Paramount insisting that Loew refrain from showing their pictures on a double bill.

There is just one way out for exhibitors who want to show Paramount and Metro-Goldwyn pictures on a double feature bill: Let them go ahead and show them. When these exchanges drag them before the arbitration board, let them inform the exhibitor arbitrators that inasmuch as this provision has not been passed by the contract committee the violation is not arbitrable. You know that, according to an agreement between exhibitors and producers, everything that goes into the contract must be passed by both the producer and the exhibitor committees. And this provision has not, to the best of my knowledge, been passed by the exhibitor committee.

THE ORGANIZATION SPIRIT

Mr. Charles R. Metzger, President of Associated Theatre Owners of Indiana, and a professor of Law, in a personal letter to the writer says among other things:

"We have gone a long way in our state organization and as you know we have a splendid and enthusiastic membership. We have kept our bills paid and our office is going satisfactorily on a very limited income.

"I mentioned enthusiastic members and I meant it to this extent, that our exhibitors believe in us; they believe that we are running the organization fair and square for their best interests and they realize that people come here for an annual meeting. They are so satisfied with the way things are going that their attitude is, 'Let well enough alone, but don't make a trip for an annual meeting.'

"You know the whole story of exhibitors in matters of this sort better than I can tell you. We feel happy to have the financial and loyal support of our members

but we are most eager to have them all present at a big meeting at which time we could get acquainted, learn some of the recent developments in this business and meet the officers of the Association who have been working so hard in their behalf for the past year and a half."

* * *

No part of Mr. Metzger's letter was meant to be published, but I take the responsibility of publishing some of it, daring his wrath. He has been the best example of an exhibitor leader, and I felt that the exhibitors of the United States ought to know something about him when he will not let any one tell it. Mr. Metzger is one of highest class gentlemen that have ever associated themselves with the motion picture business and other state organizations should take a lesson from the exhibitors of Indiana.

THE CASE OF CHAPLIN'S "THE CIRCUS"

When you buy a picture you naturally expect to receive it and to play it during the year that you buy it in. You know how business is that year, and you are in a position to tell what that particular picture would do approximately at your box office. A year later business conditions may be such that you cannot afford to play the same picture at the price you agreed to pay.

When you contracted for Chaplin's "The Circus," business conditions were good; and if Mr. Chaplin had produced and delivered the picture at that time, there is no question in my mind that every one of you would have made money.

But Mr. Chaplin did not make the picture when he promised to make it, or at least when the United Artists salesmen told you he would make it.

Of course, the contract specifies that when a producer fails, for causes enumerated in the contract, to produce a picture, or is delayed in the production of it, for causes beyond his control, he is blameless. And United Artists were entitled to be held blameless if the delay had been caused by causes beyond Mr. Chaplin's control.

But such was not the case; domestic troubles were the cause. And such a cause is not, and should not be, excused by the contract. Under the circumstances, the exhibitor-arbitrators should render a favorable award for the exhibitor that wants his "The Circus" contract canceled.

MOVIETONE NEWS SOLD FOR FIVE YEARS

William Fox will not rent the Movietone News for less than five years.

From the point of view of a producer, Fox is right; he has spent millions of dollars in experimental work and it is not right that some other talking news concern should step in after a while and reap the benefit.

From the point of view of the exhibitor, the matter differs; while Fox has spent millions of dollars in pioneering work, it would be foolish for an exhibitor to tie himself down for five years, paying big rental, when no one knows what turn the news end of talking pictures will take. At present, noise with the scenes is a novelty and takes well. But nobody knows whether the public will want to hear deafening noises all the time. If they should happen to show a dislike for such noises, then the exhibitor will find himself tied with a contract he cannot get rid of.

Perhaps a fair and equitable way would be for the exhibitor to be bound for five years only if he should continue showing newswEEKLIES of this kind. If he should find that they have lost their vogue and should decide to drop them all, to be bound only for one year. In this manner the distributor would be protected and the exhibitor would not be sent to the poor house.

Even then, there is unwisdom in the act, for an exhibitor will thus shut himself out of progress; if another method of recording sound should be invented, far more advanced than the present method, such exhibitor would continue to show a newswEEKLY with a sound recorded by the old method. Yet it would be much more preferable.

Exhibitors should think many times before tying themselves down for five years with any kind of talking pictures, released by any distributor.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States	\$10.00
U. S. Insular Possessions	12.00
Canada and Mexico ..	12.00
England and New Zealand	14.50
Other Foreign Countries	16.50
25c. a Copy	

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, SEPTEMBER 29, 1928

No. 39

Facts About Talking Pictures and Instruments — No. 5

When radio was first invented, people would sit with childish delight hours at a time with microphones in their ears trying to catch some sound. They were thrilled when they would hear a musical sound or a voice now and then, no matter how distorted it was. The slightest sound was enough to send a childish thrill into their hearts.

As time went on and transmission and reception were improved, these same people became exacting. Jumbled sounds would no longer thrill them; they wanted undistorted sound, until now they will not sit by a radio set unless the tonal quality is good and the entertainment first class. But even then, they get tired of radio after the first two or three weeks, during which time they stay till the small hours of the morning tuning in. Only extraordinary features will, as a rule, draw them near a radio set.

Let us not go outside this industry to draw comparisons: When motion pictures first came into being, any motion on the screen would thrill the spectators. As time went on the tastes of those attending pictures became cultivated until now the picture-goers know a good picture from a bad picture, just as well as a highly trained critic. They can no longer be pleased with pictures that pleased them a few years ago.

What has happened in the silent motion pictures and in radio will, no doubt, happen in talking pictures. Right now anything will please those that go to see and hear them. But it will not be long before they will become exacting. And woe be to that producer who will attempt to give them "anything."

As said in these columns before, no matter how crude most of the so-called talking pictures are, the public is attracted by them. And so long as the public buys this kind of entertainment the exhibitor finds himself in need of installing a talking picture equipment.

At present, however, it is difficult for him to make an immediate installation, for the demand is so much greater than the supply that the manufacturers of these instruments cannot make them fast enough. The lack of trained mechanics that make the delicate parts makes it impossible for the manufacturers of the standard instruments to speed up production.

Western Electric cannot make installations for new customers until next summer. The RCA Photophone Inc., will not be able to make deliveries in quantities before the first of the year; they may deliver one or two hundred instruments before that day. There are some good instruments in the market of independent manufacture; but the usefulness of these is limited because of the fact that an exhibitor will not be able to run over such instruments pictures made under a Western Electric license. And it will be some time before the independents will be in a position to supply the exhibitors talking pictures and acts in quantity to satisfy their needs. Under the circumstances, an exhibitor has no other way out than to install a non-synchronous device.

Non-Synchronous Instruments

There are, at present, three Non-synchronous Instruments that can be supplied to the exhibitor at once or within a reasonable length of time from the day he puts in an order. The Western Electric, the RCA Photophone, and the Platter Phototone. There are many others, but adhering to my first determination not to mention any instruments unless I hear and examine them and the manufacturers of them furnish me with bank and other references as an assurance that they will be able to per-

form their obligations to the exhibitor and that they will furnish him with service after the sale is made, I am not mentioning them. There are bound to be fly-by-night concerns as a result of the great demand for this kind of instruments and it is my intention to do all there is in my power to protect the subscribers of this paper from any possibility of buying an instrument from one of such concerns and losing his money.

Western Electric Instrument

The prices for the Western Electric instrument for the different classes of theatres were given in the issue of August 25. These are as follows:

For theatres of less than 1000 seats.....	\$3,500
For theatres from 1000 to 1750 seats.....	\$7,500
For theatres having over 1750 seats.....	\$12,000

Those of exhibitors that have a Vitaphone or a Vitaphone-Movietone installation, the price is \$500, no matter what is their seating capacity.

When an exhibitor buys this non-synchronous instrument first and afterwards has a Western Electric talking picture instrument installed, a credit for all the amount less \$500 is given him, such credit being applied on the purchase price of the talking picture instrument. This brings the price of the non-synchronous instrument down to \$500.

The method of sound reproduction and projection in the Western Electric non-synchronous instrument is the same as that used in this company's talking picture instrument, of both disc and film types. The diaphragm, and the horn, described in the issue of August 18, are used.

RCA Photophone

The price of the non-synchronous RCA Photophone device was given in the issue of September 1 as \$850. An official of this company, however, called my attention to the fact that this price was only approximate; the final price, he said, will not be determined until the first order is completed and its manufacturing cost determined. This will be in December.

This instrument is fitted with the cone system of sound reproduction and projection; it was described in detail in the issue of August 18. Those who contemplate buying a non-synchronous instrument should study that article so that they may know what type of sound projection is the best.

The Platter Phototone

The Phototone, which is manufactured and sold by the Platter Cabinet Company, of North Vernon, Indiana, sells for \$500. I have had letters from many of those exhibitors that use this instrument stating that they get excellent results out of it. The New York office of this company gave a demonstration to me and I can say that I found the statements of these exhibitors accurate. The tone quality is excellent, and the help the exhibitors get in regards to how to accompany the pictures with record music is very good. The only thing that I noticed is a hum, caused by the transformer. This hum is noticeable only when the music is soft; it disappears when the music attains a volume of any considerable strength.

The terms under which this instrument is sold are as follows: 20% down, and the balance either in six or twelve months. If six month terms are asked, the interest

(Continued on last page)

"The River Pirate"—with Victor McLaglen*(Fox; Aug. 26; 6,937 ft.; 80 to 99 min.)*

While this is a good program picture insofar as directing and acting go, having plentiful thrills, suspense and an interesting love story, yet the theme is unpleasant in that it glorifies robbery, making the chief character, played by Victor McLaglen, a sailor and a crook, almost heroic. And his pal, played by Nick Stuart, is made to become a crook.

The story revolves around an ex-sailor, serving a jail sentence for waterfront robberies, who takes a liking to a youth who was also sent to jail because he had smashed the store window of his former employer when he refused to give him his pay and they had a terrific fight. The heroine tries to keep him from going to jail. However, she had faith in him and believed in his honesty. After the sailor helped his pal to escape the youth helps him with his thefts, being grateful to him, but he decides to quit so that he might marry his sweetheart. A squealer notifies the "cops" that a robbery was to be committed by the sailor and when the girl's father, who is a waterfront detective, captures him, and discovers the youth there, he is about to arrest him, too, when the sailor convinces him that he had come only to warn him and not to help him rob.

The marriage of the young folk and the release of the hero on parole are announced by a person who talks via Movietone.

Among the many thrilling scenes the most spectacular was the chase between the police boat and the sailor's. Thrilling, too, is the scene in the heroine's apartment when her father is called to the phone by crooks who were to shoot him but whose life was saved when he stooped to pet his little kitten. The spectator might think that the detective would have done everything in his power to separate his daughter from the young crook when he sees them together in the street but instead he merely suggests that she give him up and later permits her to marry him.

Victor McLaglen is good as the hardboiled tobacco-chewing waterfront pirate and Nick Stuart is equally good as the rather frightened boy. Lois Moran is a charming heroine and Donald Crisp is a fair detective. Earle Fox, another confederate of the pirate, gives a good performance in his small role as squealer. The picture is based on the novel by Charles Francis Coe, and it was directed skillfully by William K. Howard.

"Docks of New York"—with George Bancroft*(Paramount, Sept. 29; 7,200 ft.; 83 to 100 min.)*

Very well acted, indeed; Mr. Bancroft makes a true sailor, a fireman in a merchant ship, the kind that one may meet in the docks of New York or of any other port city, any day. The lack of character in such a man, from our point of view, is portrayed by Mr. Bancroft with realism.

But the story is unpleasant; and so is the background—it is too sordid. The filth and misery of men and women frequenting saloons near the docks, their depravity, is the outstanding feature.

Mr. Bancroft is presented as a fireman (hero) on a merchant ship, who goes ashore as soon as the ship docks to have a good time for a night. He rescues a girl (heroine) from the water, where she had jumped in a determination to commit suicide. He helps some women to nurse her back to life and to health. This eventually leads to marriage. But the hero tells her the following morning that he would leave her, to follow his trade, as he had always done. The heroine is unhappy but she does not put anything in his way, grateful for having made her his wife legally. The villain, superior officer in the ship where the hero worked, enters the room of the heroine with evil intentions. The villain's wife, whom he had mistreated, shoots and kills him. The heroine is arrested on suspicion. The hero, seeing the turmoil, returns and finds his wife arrested. He tells the officers that she could not have committed the murder. The murderess enters and acknowledges the murder. The heroine is thus freed. Later, while the hero is on board the ship, the heroine is arrested because stolen dresses were found in her room. The hero, for the first time feeling love for a woman, jumps from the

ship and swims ashore. He finds the heroine at the police court, just as the judge had pronounced sentence on her. He tells the judge that she was innocent, and that he alone was guilty. The heroine is freed; the hero is sent to jail for sixty days. He asks the heroine to wait for him until he serves his sentence, implying that he would never again abandon her. She gladly gives him her promise.

The picture has been directed by Joseph von Sternberg so skillfully that one is absorbed by what is unfolded and made to feel as if seeing a story of human beings. Mr. Bancroft does as good work as he has done always. Betty Compson is good as the heroine. Clyde Cook, Baclanova, Mitchell Lewis, Gustav von Seyffertitz and others are in the cast.

Hardly suitable for the family circle.

"Excess Baggage"—with William Haines*(Metro-Gold.-Mayer; Sept. 8; 7,182 ft.; 83 to 102 min.)*

A good program picture. It has considerable heart interest and ends with a big thrill.

The story revolves around a vaudeville team, hero and heroine, married and very much in love with each other. The heroine is only a pretty picture in her husband's act and considers herself excess baggage. When she is given the chance to star in motion pictures, her husband sacrifices his happiness for her and lives on her bounty until he can no longer stand the strain. He stages a comeback when he learns that his wife is contemplating a divorce and he believes she is in love with the motion picture star who had given her her opportunity to become a star.

The big thrill in the end is due to the fact that the spectator knows that the hero intended to let himself slip and be killed while sliding down backwards on the wire from the rear of the theatre to the stage, because he is so nervous and afraid. But as he is about to give up in despair, his wife appears on the stage, and shouting words of encouragement, he makes the slide and lands safely in her arms.

William Haines is considerably restrained, though some of his familiar tricks are displayed in the first few reels. But he goes through the picture with a warm sincerity. Josephine Dunn is beautiful but not very emotional. Ricardo Cortez is good in his minor role of screen star who is very much in love with the heroine whom he wished to marry. Others in the cast are Neely Edwards, Kathleen Clifford and Greta Granstedt; they add considerable comedy as troupers and pals of the hero. The picture was directed by James Cruze from the stage play by John McGowan.

It should please all classes of audiences.

"Man Made Woman"—with Leatrice Joy and H. B. Warner*(Pathe; Sept. 9; 5,762 ft.; 66 to 82 min.)*

Despite the artistic directing of Paul Stein and the good acting of Miss Joy and Mr. Warner, this is only an ordinary program picture. The story is too trite to hold the spectator's interest to any great extent. It will appeal no doubt to women because of the magnificent clothes worn by the star.

The story revolves around the lively wife of a staid wealthy man in a small town who objects to his wife's gay parties. And because she cannot stand his tyranny in this respect any longer, she runs away from him and takes the position of companion to a seemingly well-to-do young woman. But the heroine learns that this woman is the mistress of the man who had really been the cause of her leaving home, as it was his parties that her husband objected to so much. The mistress becomes jealous of the heroine, who is offered the apartment by this same lover if she would consent to become his mistress. He learns, however, that she still loves her handsome young husband very much and so they plan to arrange for her to go home to him without her losing her independence. At first her husband refuses to take her back but when the roue offers to pay for the divorce, the husband realizes that he really loves his wife and so he forgives her.

The magazine story by Ernest Pascal was more piquant than is the finished picture. John Boles is very good to look at but he is colorless.

"The Cameraman"—with Buster Keaton

(Metro-Goldwyn, Sept. 15; 6,995 ft.; 81 to 99 min.)

The comedy situations in this picture are old stuff and silly, but they make the spectators laugh just the same. It is, in fact, the best comedy Buster Keaton has presented to the public for a long time. At first one does not think that the picture will amount to anything; Mr. Keaton attempts to burlesque the news cameramen. But as the picture unfolds, the laughs start, until about the middle of the picture it becomes thick with them. Mr. Keaton again is presented as a simple-minded person, who does wrong whatever he undertakes to do. Blunder follows blunder in his efforts to make a name as a cameraman. The camera tripods are always in his way, ready to trip him, just as a banana peel had tripped him in the opening, while he was out with the heroine. Towards the end, accidentally and unconsciously he takes a photographic record of a villainous act, which makes him the hero of the hour in the eyes of every news-weekly employer and employee.

The story is by Clyde Bruckman. Edward Sedgwick directed it. Marceline Day is the heroine. Harold Goodwin, Sidney Bracy and Harry Gribbon are in the cast.

"The Whip"—with Dorothy Mackaill and Ralph Forbes

(First National, Oct. 7; 6,058 ft.; 70 to 86 min.)

Just fair. It is a race-track story; only that the intrigue takes place among members of English nobility as well as "unnobility," instead of taking place somewhere in America, among ordinary mortals. The so-called "punch" was supposed to be delivered in the scenes where the hero, a young nobleman, saved the valuable race horse, which had been stolen by the villain's tools, from the speeding train before the crash occurred. The villain all the while was thinking that the horse had perished in the wreck but is surprised to see him "much alive" at the track, winning the race. Another thrill was supposed to be offered in the scenes where the hero exposes the villain, who had an eye on the heroine and her millions. But both these situations are mild. The version of this melodrama that was produced several years ago was much more thrilling than the present version.

Besides Dorothy Mackaill and Ralph Forbes, there are in the cast Lowell Sherman, the villain; Anna Q. Nilsson, the villainess; Albert Gran, the villain's "angel"; Marc McDermott, the heroine's father; Lou Payne and Arthur Clayton.

"Beggars of Life"—with Wallace Beery, Richard Arlen and Louise Brooks

(Paramount, Sept. 22; 7,504 ft.; 87 to 107 min.)

Few pictures can boast of greater realism than can "Beggars of Life." It depicts the lives and conduct of hoboes in such a way that one feels as if seeing real hoboes and feeling their pulse. The picture is interesting, in places sympathy arousing, and in one or two situations thrilling. The thrills are caused by the uncoupling of the caboose of a freight train and by the placing of the lives of the principal characters in jeopardy. The scene of the hobo-hero's putting fire to the caboose and to the lumber laden car that was close to the caboose so as to make the detectives that had been following the heroine to arrest her think that she had perished in the fire is thrilling, too. Mr. Beery holds the centre of the stage; he takes the part of a swaggering leader of hoboes, a bully, who eventually saves the heroine not only from the hands of the other hoboes, but also from those of the pursuing authorities. She had murdered a man when he attempted to assault her, and was fleeing from justice. She is shown as having met a young hobo (Richard Arlen) in a hay stack, and as having been befriended by him. She is in men's clothes. In their wandering, they come upon the camp of hoboes and try to get some food. One of the tough hoboes recognizes her as being a woman and attempts to get familiar with her. The hobo leader stops him and all the others from molesting the heroine and her companion, not from any sense of morality, but because he wanted her for himself.

The story ends with the hobo-leader performing an act of self-sacrifice so as to help the heroine and her sweetheart escape into Canada; his heart had been touched by the sight of the young man pleading for the young heroine when the hobo leader, after a session of the kangaroo court, the leader acting as a presiding judge, had found the young man "guilty" and had condemned him to be thrown off the train.

The plot has been founded on the book by Jim Tully. It was directed by William Wellman.

It is a man's picture.

"Show Girl"—with Alice White

(First National, Sept. 23; 6,053 ft.; 70 to 86 min.)

A fairly good program picture. The story is not very strong, but good acting on the part of Miss White and on that of Leo Delaney, the hero of the piece, as well as on the part of the other players in the cast, help it considerably. It is the first time Miss White has been starred, but she shows ability.

The story revolves around a girl of poor parents who through her nerve breaks into the stage. Her dancing ability enables her to force herself on some theatrical producers. The "angel," backer of the shows, becomes infatuated with her. But her dancing partner, who is madly in love with her, stabs the "angel." The heroine is frightened and thinks that the scandal would ruin her. But the hero, a young reporter that loved her, sees the opportunity for great publicity. And he takes advantage of it. The heroine is thus front-paged, and her drawing powers increase. The dancing partner abducts the heroine. The hero accidentally saves her from his clutches. Seeing an opportunity for more publicity, he induces the heroine to hide. He then gives his newspaper a sensational story about her disappearance.

The story ends with the marriage of hero and heroine, but not until after the "angel" had found out that the heroine wasn't "that kind of girl."

There is a great deal of mild comedy all the way through, caused mostly by Miss White. Leo Delaney is good as the reporter. Donald Reed, Lee Moran, Richard Tucker (the "angel,") Gwen Lee, Kate Price and others are in the cast. The plot has been founded on the novel by J. P. McEvoy. It was directed by Alfred Santell.

"Captain Swagger"—with Rod La Rocque

(Pathe, Oct. 14; 6,312 ft.; 73 to 90 min.)

The moral this picture conveys is peculiar; it glorifies crime. In the opening scenes, the hero is shown attached to the Lafayette Escadrille as an American aviator, one whom everybody admired for courage. In one of the battles he downs a German ace but saves him from his flaming aeroplane. When the German patrol is coming their way, the German ace, in gratitude for the fact that the hero had saved his life, allows the hero to escape. The hero, who is shown as being a kind of good-natured braggart and a "lady killer," returns after the war and, because he continues spending his money lavishly, goes broke. He then decides to hold up, and does hold up, some one. Towards the close of the story he is shown helping a crook to escape, because this crook happened to be none other than the German ace. He is thus shown doing a thing that is against our moral conceptions and standards. It is vicious.

Another detrimental feature in the picture is the taking of a German ace and making a crook out of him. The picture may be barred in Germany if it goes in its present shape, and exhibitors who cater to German-descent Americans in this country may receive protests.

The plot has been founded on an original story by Leonard Praskins. It was directed by Edward H. Griffith. Sue Carol is the heroine. Richard Tucker is the wealthy man. Victor Potel is the hero's butler.

Besides glorifying crime and insulting the German nation, "Captain Swagger" is pretty immoral; it is not fit for the family circle.

"Mother Knows Best" is one of the best mother-daughter stories that have ever been produced. Its appeal to the emotions is very strong. Full review next week.

charged is 6%; if twelve month terms are asked, then the interest amounts as follows: for the first six months, 6% for the next two months the 7th and the 8th, 7%; for the next two months (the 9th and the 10th), 8%; and for the last two months (the 11th and the 12th), 10%.

Records

Western Electric has made an arrangement with the Victor Phonograph Company to get together a library of records and to cue the pictures for all those that use its instruments. The Victor Phonograph Company used its studio facilities and got together a library consisting of three hundred records, which are excellent in quality, and are adapted to the needs of the exhibitors better than the commercial records. An exhibitor does not have to hunt through the record in order to put the needle on the part that contains the music needed; the important part of the music is recorded in the beginning. The long experience of this company in recording enables its technical experts to get the right results.

The Victor Phonograph Company does not sell this library; it only leases it, on a yearly rental basis, a proportionate sum being paid weekly. The prices it charges for the different classes of theatres are as follows:

For theatres of 800 seats or less.....	\$1,200
For theatres 800 to 1,500 seats.....	\$1,600
For theatres 1,500 seats and over.....	\$2,000

When any of the records are scratched or worn to the point where they no longer give good results, they are replaced without any additional cost to the exhibitor. When any new music comes out, the Victor Company makes records and sends them to the exhibitor free of charge. A cue sheet, prepared by an expert musician of theirs, is sent to the exhibitor weekly without any extra charge to him. This company cues all the feature pictures that are produced. I understand, in fact, that, in order to accommodate their subscribers, they have cued even old pictures.

The Victor Phonograph Company makes its records under a license from the Western Electric and the terms of the agreement prevents it from leasing this library to the users of any other instrument except the Western Electric. In other words if your instrument is not a Western Electric, the Victor Phonograph Company will not lease you their library. But you can go to any phonograph store and buy any kind of commercial Victor records and play them on any kind of instrument.

Exhibitors that pay music tax to the Society of Composers, Authors and Publishers will not be charged an additional tax when they lease the Victor "Pict-Ur-Music," as this library is called; the Victor Phonograph Company is paying royalty to the Society, thus protecting its subscribers.

The Victor Phonograph Company co-operates with its subscribers at all times with a view to helping them get the best results possible.

While the yearly charge may seem big, it is said that the cost of making these records is very big. To begin with, there is the seat tax, paid to the Music Society. Following this there are the salaries of the musicians, which automatically double when the services of these musicians are used for the purpose of recording. The cueing expense, too, is great.

The address of this company is Camden, N. J.

* * *

The RCA Photophone, Inc., is preparing to adopt the Victor Library record system. I understand that it has requested the Brunswick Company, which is making records under the RCA license, to figure on putting out a library of 200 or 300 records, and to fix a reasonable yearly rental price for it. I also understand that it is working on a system whereby the so-called music tax may be absorbed by either Brunswick or RCA Photophone, so that the exhibitor may not have to pay it himself. The details will be known very shortly.

* * *

The Platter Cabinet Company furnishes aids whereby an exhibitor is enabled to accompany his pictures with proper music. It also announces that in a few weeks it will have records made specially for the Phototone; they will be sold only to the users of the Phototone. They will be sold to such exhibitors at the special price of 45 cents. It will have also some records enabling an exhibitor to reproduce the various moods, as well as such sound effects as wind, thunder, crash, locomotive, whis-

ting, siren, bell, airplane, automobile horn, chimes, galloping, calliope and others. These, too, will be furnished only to the users of the Phototone. Proper instructions, furnished with these records, will enable an exhibitor to use them effectively. The price of these records will be slightly higher than the price of the regular records.

* * *

The motion picture business is no longer what it used to be; it has taken a sudden turn, and unless an exhibitor moves with the times he will not be able to survive. The motion picture going public demands the new form of entertainment and if an exhibitor cannot supply it to them he must give them the next best thing—better music. And the non-synchronous instruments give such music. The music that is produced by records, either disc or film, cannot, of course, be compared with the natural thing; but it is far better than the music produced by poor musicians, and on instruments that are out of tune most of the time. And ninety-nine per cent of the small theatres have poor musicians, either because they cannot obtain good ones or because they cannot stand the price they demand. So these exhibitors had better think seriously of installing a non-synchronous instrument, the best that can be bought, at the most reasonable price.

Next week: the 6th article on talking pictures and instruments. (Article No. 4 was printed in the issue of September 8).

THE SOUND CLAUSE IN THE CONTRACTS

Some exhibitors have written to this office expressing the fear that the sound clause, which reads, "No license of sound records or right to use sound in connection with any of the photoplays hereby licensed is granted hereunder . . .," stamped on some contracts, meant that an exhibitor was forbidden to use even records to accompany such picture with.

In order to clear the matter I wrote a letter to Mr. Hays asking him to give me an interpretation of that clause. Mr. Hays has sent me the following memorandum, which was sent him by Mr. Hess, to whom he referred my letter:

"Referring to inquiry of Mr. P. S. Harrison of September 17:

"Shortly after the current standard of exhibition contract came into circulation, the demand for pictures synchronized with sound crystallized. One or two companies immediately stamped on their forms of contract or had imprinted thereon the clause quoted by Mr. Harrison.

Recently, however, forms of contract were adopted by First National, Fox, Metro, Paramount, Pathe, United Artists and Universal for use in licensing sound pictures, and none of them contains the clause quoted by Mr. Harrison.

"When attention was first called to the clause quoted by Mr. Harrison, we took the position that it could be construed to mean exactly what Mr. Harrison states many exhibitors believe it means. However, the companies first and briefly using the clause mentioned advised that such clause was intended only to exclude any claim to sound pictures when and if synchronized with a sound; that it was not intended by the use of the clause to prevent the exhibitor from using sound in connection with any photoplays contracted for, as Mr. Harrison points out."

AGAIN ABOUT THE RETURN OF PRINTS

Mr. H. W. Lamour, of National Theatre, Graham, Texas, writes:

"In your September 15 issue under the heading RETURN OF PRINTS you regret that no receipt is given when a parcel post package is mailed uninsured.

"Why not use the one cent receipt, as per sample enclosed? I have been using them for years. The green tags are filled out as shown, stamped and attached to each package. The postmaster signs the receipt upon receiving the package and returns it to the sender after cancelling the stamp. The cancelled stamp shows at the exact hour the package is received by the post office."

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions	12.00
Canada and Mexico..	12.00
England and New Zealand	14.50
Other Foreign Countries	16.50
25c. a Copy	

1440 BROADWAY

New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, OCTOBER 6, 1928

No. 40

Facts About Talking Pictures and Instruments--No. 6

On September 15, I received the following telegram from the La Porte Theatre Company, of La Porte, Indiana:

"Western Electric claims synchronized film from biggest majority of producers cannot be used over any other make of sound equipment than theirs because of patents. Musical Devices Corporation, Chicago manufacturers of Dramaphone, and the R. C. A. Photophone, Inc., claim otherwise. Wire advice collect as to whether Western Electric claim is correct."

The subject of interchangeability has been bothering the minds of almost every exhibitor in the United States. There have been many conflicting opinions. In dealing with this question in the second article about talking pictures, which I printed in the issue of August 25, I pointed out the statement by Mr. David Sarnoff, vice-president of the Radio Corporation of America and president of the RCA Photophone, Inc., in which he said that he saw no reason why sound films recorded by the Photophone process could not be played on Movietone, or a film recorded by the Movietone process on a Photophone; and that the Photophone Company would not object to the interchanging of films. Since this statement was not contradicted by Western Electric, the opinion was formed that the latter Company would not object to the interchanging of films. The belief that a man occupying such a position as Mr. Sarnoff occupies would not have made such a statement unless he were sure of his ground led everyone in the industry to believe that this matter had been definitely settled.

When I received the aforementioned telegram, however, I felt that there was needed some more definite proof that an exhibitor could play a "Photophone" film on a Western Electric equipment and a "Western Electric" film on a Photophone equipment. So I called up Sam Morris, of Warner Bros., and put the following question to him:

"Suppose an exhibitor owns a Photophone machine and wanted your Vitaphone subjects, would you rent them to him?"

He answered that inasmuch as their license agreement with Western Electric forbade them from leasing films to exhibitors that own an instrument other than Western Electric, they could not rent such exhibitor their films without violating their agreement.

I wrote to Mr. J. E. Otterson, president of Electric Research Products, Inc., on September 20, and asked him the following questions:

"Can an exhibitor that has a Western Electric talking picture instrument play film that was made under a license from the RCA Photophone, Inc.?"

"Can an exhibitor that has an RCA Photophone, Inc., talking picture instrument play film made under a license by Western Electric?"

Mr. Otterson has replied as follows:

"The suggestions contained in your letter of September 20 do not permit of a categorical answer. As a practical matter I have no doubt they will answer themselves in due course when a sufficient number of productions or installations other than our own have been made to permit of the examination necessary to determine the facts.

"Meanwhile, you can appreciate that it would be premature and ill-advised for us to make any comment."

I sent a copy of the telegram from La Porte, Indiana, to Mr. E. E. Bucher, vice-president of RCA Photophone, Inc., with a request to make a definite statement on the same questions that I put to Mr. Otterson. Mr. Bucher replied as follows:

"I have your telegram of September 14. We cannot speak for Dramaphone, but the equipment of RCA Photophone, Inc., is licensed under the patents of Western Electric Company in the talking movie field, and we know of

no patent restriction that would prevent the playing of films made by Western Electric process on our equipment.

"We are also aware of no other restriction that would prevent the playing of our films on Movietone machines or Movietone films on Photophone machines."

Since the RCA Photophone is manufactured under a license by Western Electric, any exhibitor that has a Photophone can play a film made under a license by Western Electric.

The question now, however, is how can the exhibitor that has a Photophone lease Vitaphone or Movietone films, or films made by the other producers that are licensed by Western Electric. Warner Brothers and no doubt the other producers are willing to let such exhibitor have their films but they say that their contract forbids them from doing so. Under the circumstances there is only one way out: the case should be taken to the courts so that it might be determined whether the refusal of Western Electric to permit its licenses from leasing films to holders of other than Western Electric talking picture machines is or is not a conspiracy in restraint of trade.

That some producer will take this case to the courts cannot be doubted. Imagine what the loss of a producer would be from a single picture if there should happen to be one thousand instruments of other brands installed and the producer-distributor could not rent it to these exhibitors. It would, no doubt, amount to hundreds of thousands of dollars for that particular picture alone. The five producer-distributors that are producing under a license of the Western Electric patents (Paramount, First National, Metro-Goldwyn, Universal, and Warner Bros.), including Columbia, the latest addition, should give this matter serious thought. It would be a calamity if the industry should allow itself to be placed under the domination of one firm. Its progress would surely be arrested, and it would be crippled financially. Millions of dollars would be lost yearly from unplayed pictures from theatres that would be willing to play them but would not be permitted to do so because of the restrictions placed on the producers by Western Electric.

ABOUT THE CANCELLATION PROVISION IN THE NEWS WEEKLIES' CONTRACTS

I understand that some distributors of newsweeklies insert in their contracts a provision to the effect that unless an exhibitor gives a notice of cancellation a certain number of days before the expiration of the contract, such contract becomes automatically binding for another year. Some distributors require thirty days, some sixty.

Cases have come to the notice of this paper where the exhibitor overlooked sending his cancellation on the day he was supposed to have sent it and sent a day or so later, and the distributor refused to accept it.

Technically, the distributor is right; the contract specifies that the exhibitor must give the notice of cancellation a certain number of days before the contract expires and when he fails to do so he fails to comply with the provisions of the contract.

But is the distributor right morally? The exhibitor, any exhibitor, is liable to forget and does forget when the day is up for him to send his notice of cancellation. The provision in the contract should have placed the burden on the distributor, because the distributor has all the facilities by which he could remember that the time is up for the exhibitor to tell him whether he wants to continue receiving the news for another year or not. The exhibitor hasn't such facilities. The distributor

(Continued on last page)

"Plastered in Paris"—with Sammy Cohen and Jack Pennick

(Fox, Sept. 23; 5,641 ft.; 65 to 84 min.)

A poor picture despite the hard work of Sammy Cohen to make it entertaining. There are a few scenes that cause mild giggles, but the story, if any, is too weak. At times the situations are even vulgar. The story revolves around a soldier who had been gassed in the war. He had become a kleptomaniac and when the American Legion visits Paris ten years later he and his buddy (Jack Pennick) return to Paris, both looking for a girl they knew. His pal also wanted to have his buddy cured by a well-known specialist. The crook-pal takes pictures out of one person's pocket and puts them in someone else's. This causes them to be shanghaied when they get mixed up in a fight in a cafe and they are taken to the Sahara where they get into more trouble. The scenes in the harem where the commander's daughter is taken after she had been kidnapped is the suggestively vulgar one in that the two soldiers, disguised as women, endeavor to charm the Rajah in his bedroom. The scene in the jail and their subsequent escape and rescuing of the girl are not bad situations. Jack Pennick is a colorless half of this team. The picture was directed by Ben Stoloff from a continuity by Lon Breslow and Harry Sweet.

"Baby Cyclone"—with Lew Cody and Aileen Pringle

(Metro-Goldwyn, Nov. 3; 5,350 ft.; 62 to 76 min.)

What do you think the Baby Cyclone is? A peekinese pup. The entire action revolves around this pup; it is supposed to be so destructive that whoever becomes its master tries to get rid of it at once. But it always comes back, like a bad coin. The story is silly, so silly, in fact, that many persons may get angry at the thought that the exhibitor believed it would entertain them. The scenes that show the hero in evening dress, with a high hat, washing the dog with soap and water in the coal cellar, and later chasing it through the coal, make the unthinking laugh, but these scenes are bound to disgust the thinking.

The story revolves around a hero who receives a peekinese as a present. The pup upsets the inkstand and the flower vases, and the hero incensed; he is glad to give it away to a young woman working in a building across the alley. The young woman's husband is angry when he sees a dog in the house and takes it out to get rid of it. The heroine, fiancée of the hero, meets this man and when she admires the pup, expressing a desire to own it, he hands her the pup. When the hero calls on her he naturally is chagrined to see the pup, which he had got rid of, owned by his sweetheart. Misunderstandings are caused between the married couple as well as between the hero and the heroine, but these are eventually patched up.

The plot has been founded on the stage play by George M. Cohan. The picture was directed by Eddie Sutherland. Robert Armstrong, Gwen Lee, and others are in the supporting cast.

Put it on a bill on a rainy night.

"Son of the Golden West"—with Tom Mix

(F B O, Oct. 1; 6,037 ft.; 70 to 86 min.)

If Tom Mix (or F B O, whoever is responsible for this picture), cannot make better pictures than "Son of the Golden West," he had better give up producing to save himself from killing his reputation, and the exhibitors from being called down by their customers. It is not even a good program picture; it is the kind that any exhibitor can obtain from small independents at anywhere from five to seven and one-half dollars for the engagement. The picture is supposed to unfold in the Pony Express days, the purpose being to give Tom Mix an opportunity to do good riding and the picture to offer excitement as a result of fights with Indians. But it is a tame affair at its best.

The main action revolves around the efforts of the pioneers to get a telegraph line laid out, and of the villains to prevent them from doing so, because they feared that an end would be put to their grafting game. Of course, the hero thwarts their plans and helps the pioneers get their telegraph.

Some riding is done by Tom Mix, who takes the part of the Pony Express Rider; he is seen riding fast and changing horses at relay stations.

The story was written by George W. Pyper. It was directed by Eugene Forde. Sharon Lynn is the heroine. Lee Shumway is the villain. Fritz Ridgeway, Tom Lingham and others are in the cast.

"The Fleet's In"—with Clara Bow

(Paramount, Sept. 15; 6,918 ft.; 80 to 98 min.)

Well produced, and Miss Bow's acting is very good. She is an alluring dance hall hostess, over whom every sailor from the U. S. fleet that sees her "falls" for her. Every one vies with all others as to who will make her the best present. The action is true to life, and the atmosphere adds to its realism. It unfolds in a San Francisco dance hall, where the heroine is a hostess, and at a time when the fleet is supposed to have gone there, and the sailors were given leave of absence to go ashore and have a good time. While the part by nature is not saintly, the heroine is presented as being a good girl, and one that had been shocked when the hero, who she thought was different, made an insinuating proposal. He had taken her as being no different from the other girl hostesses, and when she scorned him he thought that she was "putting on" virtue. There are some tears in the eyes of the hero when he discovers that the heroine was different from the other girls, many of whom he had met in the different ports the fleet visited, just as there were in the eyes of the heroine, when she discovered that the hero was no different from the other men, and that he, too, would take advantage of a girl if such girl would permit it. There is pathos in the scenes where the hero is shown placing his head against the heroine's breast penitent. The scenes in the court room where the heroine, to save the hero from a thirty-day jail sentence and a consequent court martial, tells the judge that the sailors, who had been arrested and charged for battery, were innocent, and that she was a bad woman, do not ring true. Besides, one hates to see a girl placed in a position where she has to tell such a story. One feels as if some other method should have been adopted to bring reconciliation between the hero and the heroine.

The plot has been founded on a story by Monte Brice and Walter Ruben. It was directed by Malcolm St. Clair. James Hall is the sailor hero.

It is chiefly a man's picture. Not over-suitable for small towns.

"Forbidden Love"—with Lila Damita

(Pathe, Oct. 28; 5,937 ft.; 69 to 84 min.)

Whoever of the Pathe forces selected this British picture for release in the American market ought to have his head examined. In looking at it, one is reminded of the American pictures that were made ten years ago. There is no subtlety in the action; one can tell every twist of the action before taking place. It is the kind of story treatment that was abandoned by American producers years ago.

There is a situation that will offend, yes might even insult, American picture-goers; it is where the princess (heroine) allows the hero, a novelist, to enter her palace; it is shown that she allowed him to enter her bedroom, and when the prince, whom she was to marry, appears on the scene with a courtier, the hero commits suicide. The heroine then implies to the prince that the man that had shot himself was the man she loved. It seems as if he had committed suicide to save the heroine from disgrace; he did not have a way of escaping without being seen. Whatever explanation one may give to the incident, he cannot escape the conclusion that the princess and the hero had illicit relations.

It is a fictitious kingdom story, and deals mainly with the unrealized love of a princess; she loved a commoner, but after the death of the king she had been called to reign, being the only heir, and could not, for that reason, carry out her promise to marry the hero.

The plot has been founded on the play by Noel Coward. It has been produced in Great Britain. The cast is all-British.

Note:

England has produced quite a few good pictures. But this is the worst one she has produced; it is an example of what pictures should not be. American audiences will laugh it off the screen. If Pathe should insist that those exhibitors that have contracted for it must play it, there will be an uproar such as has not been heard before; for the American exhibitors cannot allow themselves to be made the victims of some policy of Pathe, by which they are trying to please Great Britain so that its product may find room in this country.

"Win That Girl"—with David Rollins and Sue Carol*(Fox, Sept. 16; 5,337 ft.; 62 to 76 min.)*

If Fox were to take this picture out in the offing, tie a rock around its neck, and sink it in deep waters, he would do the most charitable act he has done in his life. For those of exhibitors that have a talking picture equipment, it is "putrid"; for those that haven't, it is just as bad. The studios tried to put some life into it by sound effects; but they have made things worse. To begin with, yells of crowds do not add dramatic values where none exist. Following this, in one or two spots the sound is heard first and the accident happens afterwards. The only thing that Fox may claim for it is, its synchronization with music; but the picture is not worth running for the purpose of letting the picture-goers hear canned music.

The first two reels are used up in an effect to show that two families, from the grandfather down, who had attended certain universities, hated each other and each father was trying to rear a son that would be the superior of the other in athletics. The remainder of the picture is consumed in showing the grandsons in college, with the one that takes the part of the hero, the weakest one of the two, trying to win a football game. But each year something happens to him that prevents him from using his famous drop-kick to send the ball to the goal. In the last year of his college career, he is seized with hay fever and is unable to take part in the game, until the last few minutes, when the coach finds it necessary to call upon him to help win the game. He takes part and, strange to say, wins it.

There is, of course, a love affair; but it is very mild.

The plot has been founded on an original story, "Father and Son," by James Hopper. It has been directed by David Butler. Tom Elliott, Roscoe Karns, Olin Francis and others are in the cast.

"Danger Street"—with Martha Sleeper and Warner Baxter*(F.B.O., Aug. 26; 5,621 ft.; 65 to 80 min.)*

Just another gang-war melodrama with the usual gun play between two gangs.

The story revolves around a well-to-do young man who was jilted on the day of his wedding. While driving around disconsolately in a taxi-cab a bullet goes through the window of the cab and he decides to make his home in the tough neighborhood so that he might have a little excitement and perhaps be killed. Accordingly he buys the haberdashery shop of a neutral storekeeper. In the restaurant hang-out of one gang, he meets the heroine, the good looking cashier, who, too, liked the hero. But the leader of the gang considers her his property even though she herself had no use for him. And when he learns that the hero was going to marry the heroine, he decides to give him "the works." The heroine, after learning from the hero that he had married her because he wanted to forget his first love, returns to the restaurant disillusioned and heartbroken. The hero follows her and just as he is about to be killed by the leader of the gang, she runs in front of the hero and is shot, though not fatally. She later learns that the hero really loves her.

The war between the two gangs is rather ludicrous in that they fight over each other's skirts, one leader not permitting the men of the other gang to buy the same kind as he bought. The picture was directed by Ralph Ince from a magazine story by Harold McGrath.

"Mother Knows Best"—with Barry Norton, Louise Dresser and Madge Bellamy*(Fox, rel. date not set yet; 10,100 ft.)*

A powerful story of mother-selfishness and mother-love. It is so well directed and so superbly acted by the three principals, Louise Dresser, Barry Norton and Madge Bellamy, and the story is so true to life, that one feels as if seeing a real life occurrence. The closing scenes, which show the young heroine dying from a broken heart as a result of her mother's continual refusal to let her marry the young man she loved are so pathetic that it is doubtful if there will be a dry eye in any audience. The height of emotional appeal is reached when the mother is shown realizing how selfish she had been towards her daughter and what an injustice she had done to her, not to permit

her to marry the man she loved, and receives the young hero with open arms, sending him into the room where her daughter lay dying. Tenderly pathetic are also the scenes where the heroine is shown regaining her will to live as a result of the return of the hero. All the way through Miss Dresser is superb as the selfish mother, and Miss Bellamy as the daughter who had sacrificed her own happiness for the happiness of her mother. Barry Norton is an excellent choice for the part of the young composer, who loved the heroine with all his heart. He is young, handsome, and a good actor. He has a future before him. He is the young man that took the part of "mother's boy" in "What Price Glory," and so acquitted himself in the scene that showed him enter the dugout and utter the unforgettable words: "Captain, stop that blood!"

There are two or three situations where the players use their voices. In one of the situations the audience laughed at the talk, because of the fact that the synchronization is not so good. But where the synchronization is perfect the effect is pretty good. Whether, however, the talk helps the picture very much or not, it is a question. The novelty of it may help the picture to draw. Two years from now the same amount, and kind, of talk may not mean anything to the box office.

The plot has been founded on Edna Ferber's story. It has been directed by John Blystone. Albert Gran, Lucien Littlefield, and others are in the supporting cast.

"The Singing Fool"—with Al Jolson*(Warner Bros.—Vitaphone)*

One of the most powerful pictures that has ever been produced. It is a father-love story, in which talk and singing is used in half of the picture with telling effect. Full review next week.

SECURE AN INITIALED AND DATED WORK SHEET

At the Trade Practice Conference last year a resolution was adopted against substitutions. This resolution was incorporated in the tenth clause of the reformed contract; it reads as follows:

"The exhibitor shall not be required to accept for any photoplay described in the Schedule as the photoplay of a star, or of a director, or based upon a specified story, book or play, or by any indentifying description, any other photoplay of a different star or different director, or based upon a different story, book or play, or not corresponding to such indentifying description, as the case may be. Nothing herein contained shall limit the right of the distributor to change the title of any of such photoplays, or, as respects any photoplay based upon any story, book or play, prevent the making of any alteration, changes in or adaptation thereof."

So that there may not be any misunderstanding as to what you are contracting for, I would suggest that you request of the salesman to put on a Work Sheet the date on which you are contracting for a group of particular pictures, and his initials. In this way you will be able to prove before the board of arbitration, if necessity should ever arise, what you contracted for originally. Although the right of a buyer to reject an article if it does not come up to the specifications at the time the sale was made is conceded by law, abuses have been practiced by arbitration boards, foisting upon exhibitors entirely different pictures from those they had bought. In some instances the conduct of the arbitrators, exhibitors as well as distributors, was unexplainable; the evidence submitted by the exhibitors was undisputed, and yet unfavorable awards to the exhibitors were rendered.

Prevent a repetition of this scandal this year by demanding that a dated and initialed Work Sheet be left with you.

A CORRECTION

In the letter from the California exhibitor, which was printed in the issue of September 22, there were two typographical errors, which I desire to correct so that the meaning of the exhibitor may be conveyed correctly.

The ninth paragraph should read: "... West Coast to run Previews with their pictures and also permit their (Paramount and Metro-Goldwyn) pictures to be Previewed when another feature is shown at the same time."

The tenth paragraph should read: "Think of it! A Pantages Vaudeville house, showing their entire line of vaudeville acts with Tom Mix in 'Cheyenne' and a studio preview."

tributor, therefore, is taking unfair advantage of a situation that is all in his favor.

The right thing would be for the distributor to ask the exhibitor whether he wants the news contract extended for another year or not. And Harrison's Reports will fight for such a change in the provision of the newsweekly contracts if there should ever be another meeting of exhibitors and distributors for the reformation of the contract. Until such time, this paper would urge its subscribers, in case they intend to cancel a particular newsweekly, to send in their cancellation notice, by registered mail, at once, informing the distributor to accept such notice as if it were sent on the day the contract calls for. In this way they will not be apt to forget to send the notice on the day they are supposed to send it, for a notice sent ahead has the same force and effect as a notice sent on the day the contract stipulates.

BUY PICTURES FOR NINE MONTHS ONLY

There is a buyers' strike on, but not in the form that it was on last year. Last year thousands of you refrained from buying film in order to bring the prices down to a point where you could make some profit for yourselves. This year's buyers' strike has been brought about by another cause—the talking pictures. The producers became hysterical about talking pictures and plunged into the production of this kind of pictures. You naturally became alarmed, first, because you felt, and rightly so, that they would devote ninety per cent. of their time and energy to making talking pictures, for the reason that such pictures will bring them more revenue; and, secondly, because you did not know whether the silent picture would continue to draw or not.

Some of you will, no doubt, continue waiting for developments. On the other hand, some of you will want to buy product now to take care of your needs.

To those of you who contemplate buying at once I would suggest to buy, not for twelve months, but enough to last you until next June, the end of May. You may find it necessary to shut down during the summer months next year. If such should ever be the case, you would not find yourself with pictures on your hands you would not know what to do with. It may be still wiser for you to buy enough pictures to last you two or three months, and to buy more as you need them. You cannot tell what trend events will take. It is possible that the talking picture craze will die down, if not out; it is possible again that it will submerge the silent picture, although personally I don't think it will. In any event, why take chances when you can avoid it? Why load yourself with pictures you would not know what to do with in case the talking pictures took hold of the public imagination permanently when you can avoid it?

As a matter of good policy, no exhibitor should ever buy pictures for twelve months. A nine-months' supply should be the most he should buy. The market drops during the summer months in the selling end of both pictures and admissions. If you should leave the summer time open, you would be able to buy your pictures in accordance with what you might possibly take in at that time.

Make your plans now!

A SLIGHT SLIP UP

In the issue of September 15 I printed an article under the heading, "Make Your Individual Contracts One," advising you to see to it that you make each contract of a group of contracts you sign with a company at the same time part of the others by writing on each contract an appropriate wording, which was given in that article. Mr. H. A. Cole, President of M. P. T. O. of Texas, after reading that article, called my attention to the third paragraph of the 22nd clause of the reformed Standard Exhibition Contract, which makes my suggestion unnecessary in that this paragraph provides for such a thing. It reads as follows:

"This application and any application for other photo-plays of the Distributor executed by the Exhibitor at the same time shall, for the purpose of this Article only, be deemed one application unless an agreement to the contrary contained in the Schedule is specifically signed by the Exhibitor."

In other words, when you sign a group of applications at the same time from one company, all such contracts

must be either approved or rejected as a group; the company cannot approve some and reject the others.

I am glad, after all, that this error occurred. In this manner the attention of every one will be called to it to their benefit, for even exchangemen were unfamiliar with this provision, if one is to judge by the fact that some of them in several instances rejected some of the contracts of a group and approved the others. In one instance I was able to have the home office release the exhibitor from the contracts that were approved. If the exhibitor had known of it he would not have to write to this office for help; he would have rejected them outright.

There is, however, one point that this paragraph does not make clear; it is this: Suppose a distributor approves some of the contracts of a group and rejects the others; can the exhibitor consider the entire group approved, demanding the delivery of the pictures in the rejected applications? Since Mr. Cole served as a substitute on the contract committee in Chicago, if I am not mistaken, I hope he will enlighten us. In case neither he nor any other exhibitor leader can clear up the point, then it will be necessary for this paper to take that matter up directly with Mr. Hays.

CITY OF ATLANTA
Carnegie Library

August 25, 1928.

Harrison's Reports:

I find in looking over my files that I am short the "Reports of January 21st and June 28th. I will be greatly obliged if you will send me these copies. I find the "Reports" invaluable in my work, and find also that friends like them very much and when borrowing them from my office they sometimes forget that they are kept in the files as valuable references. Hence the missing copies.

Thank you very much for your trouble in sending the missing copies.

Very truly yours,

MRS. ALONZO RICHARDSON,

Secretary to the Board of Review.

(Editor's Note: I have heard of film salesmen borrowing copies from the exhibitors and not returning them but not of persons that are not connected with the motion picture industry. If you should ever feel that a particular issue would interest some one to such an extent as to make him a friend of this paper or a subscriber, send him your copy and write to this office for a duplicate copy; I keep enough copies of each issue on hand to take care of all such needs.)

ABOUT THE COPYRIGHT PROTECTION BUREAU

In the issue of September 22, I printed an article by David Barrist, which appeared in "The Exhibitor," about The Copyright Protection Bureau, a medium through which the Hays organization detect bicyclers and forces them to make a settlement.

Mr. Gabriel Hess, attorney for the Hays organization, made a reply to Mr. Barrist and sent a copy to this paper for publication.

Lack of space makes it impossible for me to print it this week but I intend to do so next week.

A DREAM THAT HAS COME TRUE

The closing of the deal whereby Warner Bros. takes over the Stanley circuit consisting of over two hundred and fifty theatres is the most romantic, the most sensational incident that has happened in the motion picture industry, in its entire history. It isn't a year when things looked pretty blue for Warner Bros. Today it is the leading company in the industry.

No one should begrudge the Warner boys their success. And I am sure that no one begrudges them, for despite their unprecedented success they have remained what they used to be—plain, outspoken, democratic. They have not lost their good nature. Success has not gone into their heads.

Others in this industry have made a success, but the success of these brothers is different; they stuck to it under the most adverse conditions—conditions that would have taken the heart out of the strongest. And they are now enjoying the fruits of their labor. They deserve every bit of it.

There is just one thing that would, I am sure, have made their happiness complete: Sam, the brother that has left them. He did not live long enough to see their dreams come true.

HARRISON'S REPORTS

Yearly Subscription Rates:
United States.....\$10.00
U. S. Insular Posses-
sions 12.00
Canada and Mexico.. 12.00
England and New
Zealand 14.50
Other Foreign Coun-
tries 16.50
25c. a Copy

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher
Established July 1, 1919
Tel.: Pennsylvania 7649
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, OCTOBER 13, 1928

No. 41

Again About the Copyright Protection Bureau

As I announced last week, I am reproducing herewith Mr. Hess' answers to the questions made by Mr. David Barrist, editor of the Philadelphia "Exhibitor," regarding the Copyright Protection Bureau in an article that he published in the "Exhibitor," which I reproduced in the issue of HARRISON'S REPORTS recently. Mr. Hess made his answer in the form of a letter, a copy of which he sent to this paper for publication.

Lack of space prevents me from printing the entire letter. But if there is anything in the omitted part that Mr. Hess thinks essential to making his position clear, I shall be glad to publish it in a subsequent issue if he will so say.

Mr. Barrist: "Who, what and why is the Copyright Protection Bureau and why are its activities shrouded in mystery? Is it possible to have secrecy without mystery?"

Mr. Hess: "The Copyright Protection Bureau is a bureau organized and maintained by national and regional distributors of motion pictures to secure evidence of the unauthorized uses of their motion pictures in violation of their copyrights. The Copyright Law of the United States gives to these distributors the sole and exclusive right to exhibit and license the exhibition of their pictures and a violation of this right entitles the distributor to an injunction restraining infringement and to damages for such infringement.

"It is evident that since the copyright proprietor of a motion picture has the exclusive right of exhibition, the exhibition of a motion picture at a theatre or on a day for which no license was granted is an infringement of such right. Indeed, the statute makes this infringement a criminal as well as civil offense.

"It was so held by the United States District Court in Montana in the case of *United States vs. Carl Anderson, Marius Anderson and R. D. McDaniels*, three exhibitors who were indicted on such grounds, pleaded guilty of the offense and were fined under the Criminal Law."

Mr. Barrist: "Who gets the fat fees and penalties that are collected by them in settlements 'out of court'?"

Mr. Hess: "Moneys paid in settlement of claims or in satisfaction of awards obtained for improper use of film are, of course, received by the distributors whose rights have been violated and by no one else."

Mr. Barrist: "Why, when an exhibitor is detected in the practice of holding over a film in violation of his contract, is this practice permitted by the exchange to continue until such time as the Copyright Protection Bureau gets ready to take action?"

Mr. Hess: "The exchanges do not indulge in the practice of permitting exhibitors to improperly exhibit film in order to penalize them more heavily at some future time.

"It is difficult to detect cheating. When the first evidence of it is obtained, it is necessary to institute an investigation in order to be certain that a serious charge will not be made against an honest exhibitor on mere suspicion. Only such time elapses before the exhibitor is notified of the charges as is absolutely necessary to determine their accuracy. The fact that in many instances, now uncovered, the exhibitor has bicycled regularly for a number of years, thus depriving the distributors of large amounts of income, proves that the distributors are often unaware of these practices and are not merely waiting to permit claims to mount up."

Mr. Barrist: "How is it possible for film to be played regularly an extra day or two without the salesmen who cover the territory having knowledge of such hold-out, and if they have such knowledge and permit the practice to continue, who is to blame?"

Mr. Hess: "Experience has shown that salesmen cannot

by mere occasional visits to the territory detect improper use of film. On the day on which the salesman visits the theatre, the exhibitor may be violating the contract of another distributor and the salesman would be in no position to know there was a violation. Even if his own company's product were being exhibited, it would require concentrated attention upon the playing policy and the number of days the picture had played and an examination of the clauses in the contracts therefor to detect a violation.

"It is rare for salesmen, intent upon other business, to uncover that which experts, specially trained for such purposes, find it difficult to do. It is fair, however, to assume the inference intended by your question. Suppose that a salesman intentionally overlooked or, indeed, conspired with an exhibitor to cheat the distributor. Would this excuse the offense? If an exhibitor, after many months of search, caught a thief who had been taking ten per cent of his daily receipts from the box office, would it be a good answer for the thief, to say that the exhibitor's own cashier had seen his or approved of his taking the money?"

"The distributors would welcome information concerning their disloyal employees, if any. Our industry has no place for dishonest agents, no matter on which side they may be."

* * *

Mr. Hess is right; bicycling is criminal, and it was so determined by the United States District Court in Montana, as Mr. Hess cites. But Mr. Barrist's question did not refer to bicycling; it referred to holding a film over for extra time without the permission of the distributor. This phase of contract breach has not yet been brought before the courts so that it might be determined whether it is or it is not criminal under the Copyright Law. Yet we are not going to split hairs; the act is unlawful and no decent exhibitor or any other person should condone the act.

It is true that a holdover is half of the time resorted to by the exhibitors with the consent of the salesmen. Mr. Hess must, indeed, be familiar with the pressure exerted by the Home Offices on the branch managers, and in turn by the branch managers, on the salesmen. The salesman knows that his job depends on the number of contracts he brings in. To bring in contracts, some will resort to anything—cheat, lie, even forge exhibitor signatures. I have on my files cases of such forgery. Often a salesman will plead with the exhibitor for his business, using the fact that he has a wife and children to support, and that they would be thrown in the street if he went back empty-handed. If the exhibitor should not weaken after these pleas, then the salesman makes the further offer that the exhibitor use the film an extra day or so. If the exhibitor should accept the proposal and is not caught, all well and good; if he is caught, then he pays the penalty, for the salesman as a rule denies that he had ever given any such permission to the exhibitor. And the exhibitor has no way to prove otherwise.

However, the fact that a salesman gave the exhibitor permission to use the film a day or so extra without an additional charge does not make the bargain legal; the exhibitor knows that the contract specifies that no verbal promises can be taken into consideration; he knows that a salesman has no right to give his employer's film away. So when he accepts such a proposal he knows that he makes a dishonest deal. What he should do is to insist that the salesman put everything into the contract, so as to save himself unpleasant consequences, even of being branded as a crook, should he be caught and the film salesman deny the oral agreement. And any exhibitor that will, in the future, accept oral promises will deserve no sympathy or pity. Things have been explained to him clearly; he has been told that using a copyrighted article without authority is a criminal act, regardless of the surrounding circum-

(Continued on last page)

"The Singing Fool"—with Al Jolson

(Warner-Vitaphone; 9,552 ft.; silent, 111 to 136 min.)

After seeing and hearing "The Singing Fool," I could not help becoming convinced that talking pictures are here to stay. They fill a definite need in the show world. This subject, however, will be discussed in another of the forthcoming articles on talking pictures and instruments. What we are concerned about just now is the quality of the picture.

Well, I doubt if a picture has been made to this day that has brought more tears to the eyes than brings "The Singing Fool." And after all, the entertaining value of a picture is measured chiefly by the tears it can bring, in spite of the fact that many consider letting one's emotions have full play as betraying bad manners and faulty bringing up. The greater the appeal to the emotions the greater the pleasure the picture audiences receive.

The emotion-stirring situations are numerous. But the most effective of them all are those that show Mr. Jolson and little Dave Lec together. (Master Lee takes the part of the hero's child. He is given an opportunity to talk now and then. His talk is charming to the extreme.) And among these the one that shows David Lee die and the father broken up as the result will rock the soul of anybody, particularly of fathers and mothers. The scenes at the theatre where the hero goes on with the show even though his heart was breaking will impress themselves in the mind of any one so deeply that one will remember them for years to come.

The story revolves around a hero, working in a cabaret as a waiter, who eventually rises to great fame as a singer and a ballad writer. Just as he was about to rise, the girl he loved, but who really did not love him, sensing his promising future, accepts his marriage proposal. They marry and have a child. The hero lives and breathes solely for his wife, but she runs around with other men, until eventually she, after getting tired of him, goes to Paris and obtains a divorce. She takes their child with her. The hero is broken up. He quits his job and goes from bad to worse, until accidentally an old friend meets him and invites him in the cabaret to dinner. A cigarette girl, who really loved him secretly, encourages him; she puts new life into him and with her cheery way he comes back to himself. His ex-wife returns from Paris. Word is sent to him that his child is seriously ill. He rushes to the hospital. The child regains consciousness at the presence of his father and talks to him while he is held in his father's lap. Apparently he goes to sleep and the father puts him in his bed, telling the doctor that he will return after the show. But no sooner he exits than his ex-wife screams. He returns, and learns that his child is dead. Broken up he returns to the theatre. The stage manager is told of the hero's loss, but, although he feels sorry for him, he insists that the show must go on. The hero goes on, but collapses at the end of the show. The cigarette girl ministers to him. They eventually marry.

Mr. Jolson is superb, not only as a singer, but also as an actor. He sings several songs. But "Sonny Boy" is the one that makes the muscles of one's throat contract the most. Josephine Dunn is the heartless wife. Betty Bronson is the cigarette girl. Reed Howes, Edward Martindel, Arthur Housman, Robert Emmett O'Connor and many others are in the cast.

The story was written by Leslie S. Barrows. It was directed with great skill by Lloyd Bacon.

"The Singing Fool," which is 50 per cent. talk, will be to talking pictures what "The Birth of a Nation" has been to silent pictures. It is the greatest picture that has ever been made.

"The Mating Call"—with Thomas Meighan

(Paramount, July 21; 6,325 ft.; 73 to 90 min.)

This picture is controversial in nature. It deals with the activities of the Ku Klux Klan, showing the hero being threatened by them and later taken forcibly away, tried by their court, found guilty and sentenced to receive a flogging. Just after the flogging had started, however, it was found that the hero had been innocent of any wrong-doing, and that the suicide of the girl had been caused by a hypocritical leader of the Ku Klux Klan.

Aside from the fact that it is controversial in nature, it is also considerably sexy, in that it shows the hero-

ine, a married woman, trying to ensnare the hero, intimating that she would be willing to have illicit relations with him. It shows also a young woman, having illicit relations with a leader of the Ku Klux Klan, committing suicide as a result.

Of course, the name "Ku Klux Klan" is not mentioned, but no one can fail to know that it is this order that the picture meant.

Rex Beach is credited with the story. But as Mr. Beach is not the kind of author to write such stories, it is plainly evident that some one in the producing company's scenario department took Mr. Beach's story and twisted it beyond recognition.

Mr. James Cruze has directed it. Evelyn Brent is the vampire-heroine. In one situation the spectator is informed that the marriage of Evelyn Brent to Thomas Meighan was annulled while Thomas Meighan was fighting in the trenches in France, because the girl was not of age. Whoever cast Miss Brent in such a role deserves flogging. Renee Adoree is the girl the hero marries just to escape from the woman he had been married to but whose father had the marriage annulled; Allan Roscoe is the villainous leader of the "Order," as the picture calls it; Gardner James, Helen Foster, Cyril Chadwick, Will R. Walling and others are in the supporting cast.

If you are in a Ku Klux Klan territory you should first find out whether you should show it or not. If you cannot show it, resort to arbitration proceedings to be released from the obligation of playing it.

"Four Devils"—with a Star Cast

(Fox Superspecial; rel. date not set yet; 11,700 ft.)

It is hard to tell yet what success "Four Devils" will have at the box office, but as an entertainment it doesn't seem to "click"; while it is spectacular and has been produced by director Murneau with great skill, it does not reach the heart. Now and then it seemed as if the action of the characters would move one, but what one got out of it is shifting in one's seat, hoping and praying that the show would be over at the earliest possible moment. And when the show was over one felt great relief.

It is difficult to say why the lack of sympathetic appeal. It is possible that it is the failure of the author to show the hero doing something to show his gratefulness towards his benefactor, who had picked up him as well as three other youngsters (the two of them girls), and run away from the cruel circus owner and had reared them with the love, care and sacrifice of a real father. It is true that a subtitle reveals the fact that the "Four Devils" had made it possible for their foster father to retire from the ring and to live in ease, being supported by them: but still one's heart is not reached by that act. Had the fact been shown by action instead of being told, matters might have been different. Perhaps it is due to the failure to arouse great sympathy for the hero in the beginning that makes one feel dislike for him when he falls in the net of the vampire, breaking the heart of the heroine (Janet Gaynor), whom he loved and had promised to marry. There may be other defects in the construction of the plot that hurt. It is also possible that these defects are not the cause. But whatever it is, the fact is that the picture does not move one or entertain one. Here and there it holds one in suspense. The scenes, for example, that show the hero performing his death-defying act when he was in no condition to undertake it make one hold his breath. The heroine's fall, too, takes one's breath away. And yet this fall looks fictitious; one does not readily accept that the heroine could have fallen from such a height as she had fallen and be able to embrace the hero immediately afterwards.

The plot has been founded on the novel by Berthold Viertel. It is somewhat a copy of "Variety." At least one is reminded of it. Janet Gaynor, Charles Morton, Nancy Drexel, Barry Norton, Mary Duncan, Farrell Macdonald and others are in the cast. The action unfolds chiefly in a circus, and deals with the infatuation of a young performer with a divorced woman, who had set out to capture him because she had become madly infatuated with him. The hero "falls" for her charms, and neglects the heroine. But eventually he comes to realize what a mistake he had made; he casts away the vampire and returns to his loved ones.

**"Singapore Mutiny"—with Ralph Ince,
Estelle Taylor and Gardner James**

(FBO, Oct. 7; 5,812 ft.; 67 to 83 min.)

This picture will interest people, thrill them, and stir their emotions, because the story is good. In addition to this, it will interest also because it shows genuine action, unfolding in the stokehold of a ship. The choking temperature in the stokehold, the burning heat from the clinkers which are taken out of the boilers by the firemen in cleaning the grate bars; the unquenchable thirst of the firemen while on duty; the perspiration that flows down their body in streams—all these are presented in the picture as they are in life. Persons that have been in a stokehold will appreciate the realism of the action; those that have never been in such a place will become intensely interested because they will see things that they have not seen before.

Aside from the fact that the picture is realistic, the story itself is full of action, heart interest and thrills. The heart interest comes from the fact that the hero, a steamship fireman, so strong that he dominates every one in the stokehold, is shown by a weakling that strength is not the whole thing in life, and that a little kindness now and then can bring better results. The lesson this young weakling had taught the hero is so strong that when occasion requires it he, the strong man, commits suicide so as to make it possible for the weakling to live.

Additional heart interest is caused by the love affair of the heroine with the young weakling. The heroine had been a bad woman; she is shown traveling to South America. On the boat she meets the young weakling, a young man going to warmer climates for his health, as a stowaway, and takes a sympathetic interest in him. Her kindness towards him makes the weakling think that she is an angel. When the boiler explodes, the weakling instead of rushing into the life boat, remains behind and saves the hero, who had been locked into the prison room for insubordination. The two save the heroine, too, who had accidentally locked herself in her room. They lower a life boat and row away. For days and days they sail with no rescue vessel in sight. Their water runs out. The hero, instead of drinking his portion, secretly put it in a bottle. When the heroine tells the hero that the young man was dying for lack of water, he takes out the bottle and hands it to her. He then drops into the ocean and disappears, he, a strong man, sacrificing himself so that the weak man might live. The heroine and the young weakling are eventually rescued by a passing steamer. They marry when they reach civilization.

The plot has been founded on the story by Norman Springer. Ralph Ince directed it creditably. Mr. Ince takes also the part of the hero. Estelle Taylor is very good as the heroine, and Gardner James as the weakling. James Mason, Martha Mattox and others are in the cast.

**"Our Dancing Daughters"—with Joan
Crawford and an All-star Cast**

(Metro-Gold., Sept. 8; 7,652 ft.; 88 to 109 min.)

This picture seems to be a sample of how much a producer can show a woman's legs and how far he can allow her to flirt with men before bringing the censor's wrath upon him. It certainly is bold in places. It seems, in fact, that the picture's chief asset is boldness. And it is a peculiar boldness because he has the heroine act in a way that no decent girl would have acted in public and then has her be surprised that the hero had misunderstood her and turned against her. If the producer, or the author, or whoever is responsible for the part given to Miss Crawford, had any idea of putting any brains into the head of the heroine, whom Miss Crawford impersonates, such a heroine ought to know that her conduct would not have attracted a decent young man, as the hero is represented to be. Her surprise and her tears, therefore, do not ring as true as they would, with all her supposed sincerity, if she had been a little bit more modest. The picture has merit in some situations, and lacks merit in others. But there is one thing one must admit, that it has been produced most lavishly. The sets that represent the club to which all the young society men and girls are supposed to belong is the biggest, most impressive that have ever been shown in pictures. Everything, in fact, has been reproduced on a large scale, and are most lavish.

Josephine Lovett is the author. Harry Beaumont has directed it, and he has made a good job of it. John Mack Brown plays opposite Miss Crawford. Dorothy Sebastian, Anita Page, Kathlyn Williams, Nils Aster, Edward Nugent, Dorothy Cummings, Huntly Gordon, Evelyn Hall and Sam de Grass are in the cast.

**"The Toilers"—with Jobyna Ralston and
Douglas Fairbanks, Jr.**

(Tiffany-Stahl, Sept. 1; 7,256 ft.; silent, 84 to 103 min.)

This is another picture that, like "The Singapore Mutiny," contains elements that make it interesting in addition to the interest that the story itself arouses; it shows a damp fire in a coal mine. This fire is so well done that one feels as if seeing a real fire. The fire blast that creeps through the tunnels; the efforts of the entombed miners to barricade themselves, backing up the wood partitions with rocks and coal and everything that can be secured to stop the progress of the fire; the retreat of the miners further in to build another barricade when the one they had already put up had caught fire; the efforts of the miners outside to drill through so that the entombed men might get fresh air and their lives be spared—all these and other details are done with extreme realism. The situations that show the mothers, fathers, husbands, sons and other relatives outside the mines waiting with anxiety for word of the rescue of their loved ones are pathetic in the extreme. The scenes that show the distracted heroine waiting for word of the hero, whom she loved; the ones that show her rushing and embracing him when he was brought to the surface, too, are pathetic. The scenes of the entombed miners, who are shown in danger of asphyxiation, remind one of the similar scenes in Columbia's "Submarine."

Unlike other coal mining pictures, this one does not deal with strikes and dissatisfaction of the workers; it is a simple and human love affair between an orphan girl and a young man.

The plot has been founded on a story by L. G. Rigby. It has been directed by Reginald Barker with great skill. Harvey Clark and Wade Boteler are the two friends of the hero; they act well.

Note: This is the first Tiffany-Stahl picture to be synchronized with music. The synchronization has been made with the R C A system, and is very good; it has been done intelligently.

STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC., REQUIRED BY THE ACT OF CONGRESS OF AUGUST 24, 1912, OF HARRISON'S REPORTS, published Weekly, at New York, N. Y., for October 1, 1928. County of New York.

Before me, a Notary Public, in and for the State and County aforesaid, personally appeared P. S. Harrison, who, having been duly sworn according to law, deposes and says that he is the Editor and Publisher of the HARRISON'S REPORTS and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management, etc., of the aforesaid publication for the date shown in the above caption, required by the Act of August 24, 1912, embodied in section 443, Postal Laws and Regulations, to wit:

1. That the names and addresses of the publisher, editor, managing editor, and business manager, are:
Name of Publisher, P. S. Harrison, 1440 Broadway, New York, N. Y.

Name of Editor, P. S. Harrison, 1440 Broadway, New York, N. Y.
Managing Editor, None.
Business Manager, None.

2. That the owners are: P. S. Harrison, 1440 Broadway, New York, N. Y.

3. That the known bondholders, mortgagees, and other security holders owning or holding 1 per cent. or more or total amount of bonds, mortgages, or other securities are: None.

4. That the two paragraphs next above, giving the names of the owners, stockholders, and security holders, if any, contain not only the list of stockholders as they appear upon the books of the company but also, in cases where the stockholder or security holder appears upon the books of the company as trustees or in any other fiduciary relation, the name of the person or corporation for whom such trustee is acting, is given; also that the said two paragraphs contain statements embracing affiant's full knowledge and belief as to the circumstances and conditions under which stockholders and security holders who do not appear upon the books of the company as trustees, hold stock and securities in a capacity other than that of bona fide owners. And this affiant has not reason to believe that any person, association, or corporation, has any interest direct or indirect in the said stock, bonds, or other securities than as so stated by him.

(Signed) P. S. HARRISON,
(Owner).

Sworn to and subscribed before me the 28th day of September, 1928.

MARY D. ROMANY,
(My commission expires March 30, 1930.)

stances. At the Trade Practice Conference, last year, bicycling was declared an unfair trade practice. In fact, at one time it looked as if the Conference was called for no other purpose than to condemn bicycling. So if an exhibitor will in the future use a film without a bona fide authorization; if he will, despite all warnings, accept a salesman's oral offer and fail to include such offer, every promise, in the contract, then he will have no one to blame but himself should he be caught so using the film.

* * *

Now that we all agree that bicycling is a criminal act and that holding over a film without authorization from the exchange is, if not criminal (having not yet been so declared by the courts), at least unlawful, let us ask Mr. Hess to look into his lawbooks to find out under what classification comes the act of treating with an exhibitor that has committed such an act. His Copyright Bureau investigators caught in the Philadelphia zone a poor Italian, a man who is running a "shooting gallery," bicycling film. They hauled him before their august body and, after presenting him with evidence of his guilt, asked him for a \$1,200 settlement. The poor Italian nearly fainted; he had never seen that much money together in his life. The investigators, or detectives, eventually agreed to accept \$400. I should like to ask Mr. Hess if compromising with a man that has committed such an act is or is not worse than bicycling itself. The Copyright Bureau, Mr. Hess, informs us has been founded for the purpose of stamping out this evil. Is that a way to stamp it out? Is it not really encouraging the evil?

Why are the arbitration boards? Are the producers-distributors not bound, legally and morally, to bring every dispute before the arbitration boards? And when they do not bring such cases before these boards, are they not showing lack of faith towards instruments which they themselves have created, and which are virtually in their hands by the very nature of their constitution? And if the exhibitor committed a crime, have the producers the right to compromise him when their object is to stamp the crime out?

Mr. Barrist made a definite accusation; he accused the detectives of purposely delaying the bringing of the violators to light so as to get bigger fines out of them by presenting evidence of accumulated violations. Mr. Hess denies it. But let me tell you that Mr. Hess does not speak from personal knowledge. When the Barrist article first appeared, he naturally had to write to his investigators asking them whether the accusations were true or not. They must have denied them. And Mr. Hess had to frame his answers in accordance with their statements. One thing that would either prove or disprove these accusations better, I believe, than any statements either from Mr. Hess or from these detectives, would be the revealing of the information whether they work on a stated salary or on commission. If on commission, we can well understand why the delays. But whether they work on commission or a salary, the fact remains that the Copyright Protection Bureau is applying the rack and thumbscrew methods, not on the big exhibitors, but on small exhibitors, men who have their theatres in small coal mining towns, struggling to make an existence. Let Mr. Hess take a trip to Philadelphia and investigate the conditions himself instead of having to depend on second-hand information, coming from persons that may have a reason to conceal the truth. Then he will be speaking from knowledge.

* * *

There is one thing that this paper cannot understand. Why the secrecy that has surrounded this Bureau since it was founded? We know that whatever the producer-distributors do they put it in the trade papers. Even when a producer coughs the fact is heralded in the trade press. And yet the formation of this Bureau has been held a state secret. Why? What makes the producers afraid to say to the exhibitors that they have founded a Bureau to watch those that use film without authority? The quickest way to stop an evil is to give it wide publicity. Why not apply this theory on the movements of this Bureau? If they do not make its movements clear, if they do not tell us whether these detectives work on a straight salary or on a commission, then it is up to us to request either Senator Walsh or any other congressman for an investigation. An examination of the books of this Bureau would perhaps disclose much that is being kept secret now.

Bicycling is not being resorted to as much now as it was in the past. A few more cases may have been reported this year than were last year, but these have, no doubt, been caused by the deplorable business conditions that have prevailed since last December. But the methods Mr. Hess has adopted to stamp this evil out is not the right kind. Treating with a bicyclist will not discourage from bicycling those that are inclined to resort to such a practice. Finding out

the cause is what will cure it. Leaving those that are criminally inclined—and of these one will find as great or as small a percentage in this business as one will in every other business—those that bicycle film do not do so because they want to but because they have to; because of their inability to meet their bills and find themselves before the necessity of shutting down and losing every dollar they have invested. If Mr. Hess, instead of wasting all this money for the establishing and maintaining of a detective agency, of a spy system, should engage a number of experts to call on these exhibitors with a view to diagnosing their ailments and finding out the cure for their poor business and helping them to put their theatres on a paying basis, he would be rendering a greater service, not only to the exhibitors, but also to those who pay his salary. Such a method would be truly constructive, as it would make the exhibitors happier and bring his employers more revenue. It seems, however, as if the aim of Mr. Hess is to punish and not to help; to bring more trouble on Mr. Hays and on the entire industry, instead of good will.

If he really wants to set up some kind of Bureau, why not establish a bureau for the detection of such members of the Hays organization as put into pictures books Mr. Hays bans? He would at least be rendering a great service to Mr. Milliken, who goes before the W. C. T. U.'s, the better film associations, the women's clubs, the ministerial and other associations and tells them in grave tone how many books Mr. Hays has banned, when some producer decides to put one of the banned books into pictures before Mr. Milliken leaves the rostrum. In this way he would render to his employers much greater service, for, with the intercommunicating system that has been adopted by these associations and all those others that operate on the basis of bringing about an improvement in the moral quality of motion pictures, more harm is done by the putting of a banned book or play into pictures than by all the bicycling that may be done in a year.

Here is a field for the capabilities of Mr. Hess!

HOLD OFF BUYING A TALKING PICTURE OR A NON-SYNCHRONOUS INSTRUMENT

Before you sign a contract for a talking picture instrument or a non-synchronous instrument, wait for the article on the subject that will appear either next week or in the issue of the week after next. I am gathering technical information of such nature that will definitely determine what make of instrument now offered will give better tone quality.

BETTER BUSINESS METHODS

The notice the Paramount-Famous-Lasky Corporation has sent to its customers informing them that it will not produce "Glorifying the American Girl" is accurate. It is not an effort on the part of Paramount to release itself from the obligation of delivering this picture so that it might make it later on and exact bigger rentals from them, as I have been informed reliably.

The step the Paramount organization has taken is nothing but fair. As a rule the exhibitor buys an entire year's supply of pictures. So when a particular producer finds it impossible to make one or more pictures from the group and fails to notify the exhibitors to that effect, it puts them in an embarrassing position. By notifying them in advance that it will not make a certain picture or a number of pictures, it gives them an opportunity to fill in their dates with other pictures.

All other producer-distributors should follow the example of Paramount. It is the fair way.

SUBSCRIPTION ORDER BY CABLE TELEGRAM

The following cable telegram was received by this office from London, England:

"We require two copies your Reports starting last August 18th and continuing for one year. Mail Reports to date with account. Will remit by return mail."

"Gainsborough Pictures."

When people go to the trouble of sending cable telegrams from a foreign land for the series of articles on talking pictures and instruments, it is a proof that these articles really filled a great need.

Proof that this series of articles has benefitted the entire industry comes to this office every day in the form of letters as well as in the form of oral comment.

The series will be continued until the subject is covered thoroughly.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions	12.00
Canada and Mexico..	12.00
England and New Zealand	14.50
Other Foreign Countries	16.50
25c. a Copy	

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, OCTOBER 20, 1928

No. 42

The Mysterious Meeting of the Contract Committee

The Contract Committee, consisting of producer-distributors and exhibitors, met and, according to an announcement in the trade press, ratified the contract.

The resolution, after giving several "whereases," states: "NOW, THEREFORE, The members of the Contract Committee hereby agree that the contract, as agreed upon at Chicago on February 21, 1928, be and the same hereby is finally agreed upon as the Standard Exhibition Contract of the motion picture industry, without reservations or exceptions of any kind or character, the Contract Committee, however, continuing to act in accordance with the Resolution of the Trade Practice Conference which appointed the Committee."

The news that the Contract Committee met and approved the contract as it now stands naturally came as a surprise to the exhibitors, for no inkling had been given that such a meeting was contemplated. The only news we had was to the effect that Mr. W. A. Steffess, President of the M. P. T. O. of the Northwest, and Chairman of the Allied Group before it disbanded in favor of harmony, sent telegrams to the former Allied leaders and to some other prominent exhibitor leaders, asking their consent for a conference to discuss the contract and to point out to the producers what is wrong with it, with an intention to demand its revision, so much needed. Up to the sending of that telegram, the Hays organization refused to call a meeting of the Contract Committee, Charlie Pettijohn, its spokesman, giving as an excuse that it needed money to pay the railroad fare and the other expenses of two exhibitor members if a meeting were called, and that the Hays organization would not foot the bill. "Somebody has to pay it, but we won't," he is quoted as having stated. Mention was made by Pettijohn of only two of the Committee members, Bernstein, of California, and Biechele, of Kansas.

In order for you to understand fully the significance of the sudden meeting of the Contract Committee and of the ratification of the contract "without reservations or exceptions of any kind or character," it is necessary that you be given some inside information. At the Chicago meeting of the Contract Committee last February, the exhibitors demanded that, if the exhibitors were to agree to include the arbitration clause in the contract, the producers devise some kind of plan whereby to finance the arbitration boards, thus lifting the burden off the shoulders of the exhibitor organizations. The demand of the exhibitors for such a plan was, regardless of its merits, a sincere one. Having been unable to find a solution of the problem at that time, the Committee members decided to adjourn

with the understanding that an effort be made to find a way out prior to May 1, the time when the new contract was to go into effect; and that if the matter were not settled by May 1, to meet again not later than June 1.

May 1 came and no solution of the problem was found. June 1 came and no meeting of the committee was called. Some exhibitor rumblings were heard, and some protests were made. A few letters were exchanged between Pettijohn and the would-be head of the national exhibitors' organization on the subject. It was in one of his letters that C. C. Pettijohn stated that his organization would not pay the railroad fare of Messrs. Bernstein and Biechele, and that, so far as he was concerned, he preferred to have the unfinished business of the contract remain unfinished. And, as he stated in a postscript, he spoke for himself and not for anybody else (I believe it is necessary for us to appoint a committee for the purpose of finding out when Pettijohn speaks for himself and when for Mr. Hays).

In view of the stand the Hays organization took in the matter of transportation for the two committee members, is it any wonder that many of us were taken by surprise when the Committee was called together?

In the name of the exhibitors of the United States, HARRISON'S REPORTS demands that Mr. Hays answer the following questions:

Who called the meeting?

By whose authority he called it?

When did he call it? We should like to know the exact date.

Did he call both the regular members and the alternates?

If so, did he give them time enough to come to New York? At Chicago the members, both regular and alternates, were notified at least thirty days in advance of the meeting. This gave them time to consult with other exhibitor leaders, to put their personal affairs in order, and to reach Chicago in time for several conferences. Were the members this time given a reasonable notice of the meeting? If so, when was the notice sent? If not, why not? In one instance at least, this paper knows that the alternate did not receive the notice until twelve hours ahead of the time of the meeting. It was Mr. Cole, alternate, President of the M. P. T. O. of Texas. And the notice was sent to him, not by the same person that sent the other notices, but by Mr. Nathan Yamkins, that watchdog of exhibitor interests.

Since his lieutenant stated in writing that his organization would not pay the transportation and

(Continued on last page)

"Moran of the Marines"—with Richard Dix*(Paramount—Oct. 6; 5,444 ft.; 63 to 77 min.)*

Good. The story, though familiar, is amusing, due to the good work of Mr. Dix, as the hero, and to the funny titles by George Marion. Roscoe Karns as the hero's buddy and Duke Martin as the sergeant, add considerably to the comedy and cause many laughs. Miss Ruth Elder, the famous aviatrix, is surprisingly good in her first role. Though not a beauty, she lends charm to the picture and shows some talent. The first half of the picture is chiefly comedy, caused by the hero's getting into all kinds of troubles on account of his love or fighting. The last half gets more serious and becomes melodramatic when the hero saves the heroine from the Chinese bandits after being wounded when he pretended to be a deserter and played a trick on his captives.

The scenes where Miss Elder rides in her plane to seek aid when the hero is almost killed by the bandits are thrilling, as is the fight between the wounded hero and the band of Chinese bandits.

The story revolves around a fighting he-man who gets into jail after trying to protect the heroine whom he had met in a night club. They both fall in love with each other. But the hero pretended to be a well-to-do railroad man on his way to China whereas he was an enlisted Marine in her father's regiment. When the heroine learns this, she has him put on duty in her home as orderly. He kisses her. She has him courtmartialed for bad behavior, and he is sentenced to hard labor for three years. Her love for him causes his sentence to be suspended and when the regiment goes to China to round up a notorious band of bandits, he goes to do some hard labor, still under sentence. And when the heroine and her would-be fiance are chased while she is cruising in her plane, looking for the hero, she is captured though the fiance escapes to headquarters where he and the hero's buddy seek aid from her father's regiment. Through a ruse, the hero, learning of her capture, frees her although he is wounded. She escapes in her plane and leads the regiment back to where the hero is fighting single-handed the large gang of bandits. Hero and heroine are united.

The picture was directed by Frank Strayer from a story by Linton Wells. Others in the cast are Brooks Benedict, as the cowardly fiance, Captain E. H. Calvert, as the general, and Tetsu Komai, as Sun Yat, the bandit chief. It will please audiences who like he-man pictures and who do not mind a few somewhat far-fetched situations, which nevertheless are so funny.

"Marriage by Contract"—with Patsy Ruth Miller and Lawrence Gray*(Tiffany-Stahl, Nov. 1; 7,786 ft.; 90 to 111 min.)*

The old gag of things happening in a dream, with the spectator unaware of it because of the action's failure to show when the dream started until the time when the author decides to inform him that it is all a dream, has been revived again in this picture with fairly satisfactory results. The dream action is really a preachment—an effort to show to those of young women that believe in marriage by contract what a bad thing it is, and how much unhappiness it would have brought to the heroine had it not been merely a dream. In this manner the author was able to show things that it is believed he could not have shown in straight action, or, at least, he could not have done so wisely.

The action in the first two-thirds of the picture is rather boring; it shows the heroine in love with a young man, but unwilling to marry him until he consented that they be married by a contract marriage of one year's duration. Because the young man really loves her, he agrees and they are so married. Then the action drifts into a dream. The heroine dreams that when the year is up she marries another man by contract. This man, when the two years are up, takes his clothes and goes away, as if he had paid her only a visit. She marries another one for his money. She begins to grow old and tries everything she can to retain her youth. She meets her first husband, happily married and the father of a fine young boy, and her heart breaks. In order to feel young, she divorces her old millionaire husband and marries a young lounge lizard, who, after impoverishing her, decides to leave her. She takes a gun and makes ready to shoot him. He grapples with her and is killed by the accidental discharge of the gun. She is about to be arrested by a policeman for murder when she wakes up frightened, and realizes that it was only a

dream. She then rushes to her husband-by-contract and begs him to take her to a church where they could be married in the old-fashioned way.

The last two reels are pretty strong. In one or two places the action is powerful. Miss Miller's acting is so good in those situations that the action becomes realistic in the extreme. The lesson is put over in those scenes in good shape, and had the early action been interesting the picture would have turned out to be very good. As it is, it is only fairly good. But it is pretty sexy, too.

The story is by Edward Clark. It was directed well by James Flood. Lawrence Gray is the first husband. Robert Edeson, John St. Polis, Claire McDowell, Shirley Palmer, Raymond Keane and others are in the cast.

"Power of Silence"—with Belle Bennett and John Westwood*(Tiffany-Stahl, Sept. 15; 5,554 ft., 64 to 79 min.)*

A pretty good mystery melodrama. It holds the spectator's interest all the way through because the real murderer is not disclosed until the end and it is rather a surprise. It is filled also with pathos. The story revolves around a mother's love and sacrifice for her son. Miss Bennett has the very sympathetic role of being the accused murderess who refuses to tell anything and almost is sentenced for first degree murder, but for the heart-rendering plea of her defending attorney, who uses her dairy as a silent witness to prove to the jury that she had no motive in killing the man; he was the father of her boy but she had been separated from him before the child was born, because he was the son of wealthy parents and she the maid-servant in that family. It is told in flashbacks, the scenes changing from the court room where she sits passively, to the time from the day she is turned away from her husband, showing her struggles to raise the little one till he was a grown man, and then in court, with his young wife.

The opening scenes reveal the mother going to the apartment of the murdered man who was her husband. When the hotel clerk hears a revolver shot, he comes to the apartment and finds her holding a revolver in her hand which she had really picked up from the floor. Later, after the trial, and when she is back home with her son and is called "murderess" by her daughter-in-law, the mother tells the daughter-in-law that she had seen her in the apartment running away from her husband, who was trying to make love to her. The daughter-in-law had accidentally shot him and then escaped through the window. This brought the daughter-in-law to her knees because she realized what a wonderful woman her mother-in-law had been to protect her son both from the knowledge that his wife was running around carelessly with another man and from the fact that she was a murderess.

The story and continuity were written by Frances Hyland and the picture was directed by Wallace Worsley. John Westwood is likeable as the young son and Marion Douglas is quite good in her small role as daughter-in-law. Others in the cast are Anders Randolph and John St. Polis.

"Court Martial"—with Jack Holt and Betty Compson*(Columbia, August 12; 6,014 ft.; 70 to 86 min.)*

A good picture of the Civil War days, in which President Lincoln is shown as engaging a young captain to go west and, by employing his own tactics, to capture a famous woman bandit. Even though Miss Compson, as the "tough" woman bandit, is not convincing, because of the fact that she does not look like one, yet the picture has been directed so well that one is made to forget this, and to take an interest in what is unfolded. There is suspense in some of the situations. This is caused by the hero's masquerading as a bandit and entering the heroine-bandit's lair, thus risking capture and inevitable shooting. The scenes where he is shown as having been discovered and taken to a tree to be lynched are suspenseful. The scenes that show the hero and the heroine escaping from the heroine's band hold one in pretty good suspense, too. So do the scenes that show the heroine escaping the second time and reaching the post, and giving herself up, clearing the hero, who had been court-martialed and was about to be shot for treason as a result of his having left the heroine escape, and whom she loved. The story ends showing the heroine die; she had been hit by her own men while she was escaping.

The plot has been founded on a story by Elmer Harris. The picture was directed by George B. Seitz well. Frank Lacten and Otto Matieson are in the cast.

**"Battle of the Sexes"—with Jean Hersholt,
Belle Bennett, Phylis Haver, Sally
O'Neil and Don Alvarado**

(United Artists-Griffith, Oct. 12; 8,180 ft.)

W. D. Griffith produced "The Battle of the Sexes" several years ago. The present version is as antiquated. It lacks inspiration, and the theme is of the kind that have been put into pictures at least one hundred times, almost in the same form. There is not a new idea in the treatment of this theme. It is about the same father, a kind-hearted, loving head of the family, who becomes infatuated with a gold-digger, a woman that had planned to relieve him from some of his money, but who eventually comes to his senses, going back to his old home, and making everybody happy. In this instance, the happy result is brought about by the hero's daughter, who, grieving for her mother, takes a gun and goes to the vampire's apartment with the intention of killing her; but she fails to carry out her purpose, perhaps because Mr. Griffith did not want to make the young girl a murderer, lest he have the censors after him.

There is a touch of heart interest here and there, and some suspense. The scenes, for example, that show the mother on the roof, walking close to the fire wall and liable to fall off any time are, indeed, suspensive. The scenes in the cabaret where the daughter sees her father in company with the bad woman and pretends that she is ill, her object being to draw her mother away from the cabaret and thus spare her of a possible meeting face to face with her husband in the company of another woman, are sympathy arousing. The sufferings the mother goes through as a result of her losing the affection of her husband, too, arouse one's sympathy for the mother and for the other members of the family. But these are not strong enough to put the picture over. Moreover, the obviousness of the plot kills whatever effect these situations might exert upon the spectator.

The picture has been directed well, the acting being of first order. The cast consists of real artists. The sets are magnificent.

The picture is decidedly "sexy." The hero is shown abandoning his wife and children and living with a prostitute. The scenes that show the vampire's lover in the room at a time when she had been living with the hero are not very edifying to young folk.

The plot has been founded on the old story by Daniel Garson.

"The Wedding March"—with Special Cast

(Paramount-von Stroheim, Oct. 6; 10,400 ft.)

Three years in the making and nearly a million and half expended! But, though from the point of view of direction, acting, settings and of the other trimmings it is a big picture, from the point of view of entertainment it is not as good as "The Merry Go Round," to which picture it bears a great resemblance. The story was written and directed by Mr. von Stroheim, the famous director, and the action, which unfolds in Vienna, revolves around the love of an aristocrat, officer in the Imperial Guard, a lady killer, for a beautiful girl, of lowly station of life. In the development, the hero's parents are shown as having decided that a marriage between their son and the ugly daughter of a millionaire would prove much more suitable to their empty purse than his marriage to the beautiful but poor girl. So they set out to arrange the marriage. The fact that the wealthy girl was, besides ugly, also lame, did not make any difference. They eventually succeed in inducing the hero to forget his sweetheart and to marry money.

The story is really a tragedy, for tragic was the life of the heroine. In one situation it is implied that the heroine had had a love union with the hero. This is shown when the heroine goes to the church and confesses to the priest. Here and there is a touch of sympathy. But most of this is lost by the sight of pigs wallowing in the mire, of characters eating sausages, and of other filth (a touch of Greed!), which situations though dramatic, as they offer a contrast between the hero's wealthy environment and the heroine's filthy surroundings, cannot be relished by the average picture-goer. Some of the sets are magnificent. The introductory part is in technicolor. It is beautiful.

The cast includes Eric von Stroheim himself, as the hero, Fay Wray, as the heroine, George Fawcett, as the prince, father of the hero, Zasu Pitts, as the corn plaster millionaire father's daughter, whom the hero married, George Nichols, Mathew Betz, Cesare Cravina, Maude George and others.

THE PLATTER CABINET CO.
NORTH VERNON, INDIANA

October 11th, 1928.

P. S. Harrison,
No. 1441 Broadway,
New York, N. Y.

Dear Sir:

As you are no doubt continuing your investigation on non-synchronous instruments for the movies, we wish to call your attention to further improvements with Phototone as made and which added improvements are now available to exhibitors.

Phototone at \$500.00 was equipped with large exceptional type of horn. With the improvement in dynamic speakers we have devised a combination bell and dynamic, also combination dynamic and new double wall baffle sound board speaker. In addition to our regular Phototone, we have devised a new and heavier instrument Phototone Senior, using four dynamic sound board speakers, either of the bell or baffle board type.

We are using with this outfit three stage amplifier with output of 15 watts which is the same power used by Vitaphone. This amplifier has quality of reproduction of the highest order.

This job is also equipped so that 10", 12" and 16" records may be used. This new amplifier will operate up to 30 or more speakers if necessary, and has the power to operate four large speakers, which will give sufficient volume for most any theatre regardless of size or seating capacity.

We take great pride in the quality of tone in both of our reproducing instruments, simplicity and ease of operation, freedom from expensive servicing, high quality of materials, and adaptability with low operating costs and low first cost.

We agree in our contracts with the exhibitors to replace without charge any part of this outfit, which may prove defective with the exception of tubes for a period of 90 days from the date of sale.

We are ready at any time to make comparative tests with any outfit now made as for quality of tone reproduction.

We now have 381 Phototone outfits installed in the past six months and out of that number, there has only been nine instruments returned and most of these were because the theatres were unable to keep up their payments, two or three because of poor reproduction because of wires being broken in shipment and the exhibitors becoming impatient and not allowing us to repair or look for the trouble and returning them without giving us an opportunity to make the instrument good.

Every Phototone installation has been a success where the operator has used reasonable judgment in this operation.

We are also pleased to advise you that two of the largest record manufacturers are making a series of sound records for us, which we expect to have ready for release within the next two or three weeks. In addition to this theme records are being made by them and it will not be long until the exhibitor may buy at moderate cost good sound and good theme records with new effects and themes coming out from time to time as needed.

Yours truly,

PLATTER CABINET CO.,

By O. R. PLATTER,

Secretary and Treasurer.

P. S.—We are now equipping our regular Phototone model so that 16" records may be used on each turn table, same records which are now being made and distributed by the film producers for use on non-synchronous instruments at no additional charge to the exhibitor.

We also expect to furnish blue prints to all who already have Phototone installed so that they can change by slight expense for 16" records.

We also have coming out a device which can be put on Phototones already sold, probably in the course of two or three weeks, from this date, we will have new device on all Phototones going out whereby sound effects can have a musical background by having the two turn tables playing records in unison, theme record on one turn table and sound record on the other turntable.

In regard to the AC hum this matter has been taken care of on each Phototone by an adjustment of little set screw between the first and second tubes on the amplifier so that when the hum is discernable, it can be faded out by adjusting this screw.

other expenses of Bernstein, of California, and of Biechele, of Kansas, who paid them now? Were the other members, Cole of Texas, for example, Mr. Yamins, of Massachusetts, and Mr. Riche, of Michigan, paid their own expenses?

Who is the Chairman of the Contract Committee, and who appointed him?

In the Committee deliberations on October 5, the producer-distributors were represented by two alternate members of the committee; only one of the regular members was present. Now, if the producer-distributor alternates were notified to appear, why were the exhibitor alternates not called? This paper has authentic information to the effect that they were not called. Why were they not called? What was the motive?

Why the secrecy that surrounded the meeting? And above all—

Why did Mr. Cole resign? What were the real reasons?

Mr. Hays must answer these questions. If he fails to do so, then you must give up the hope that round table deliberations with producers will ever get you anywhere, and must take other steps to protect your interests. The interests of fifteen thousand of you are at stake. And yet, two persons are allowed to pass upon the contract in star chamber proceedings. What a pity! What a perversion of the intention of the Government, who called representatives of producer-distributors and of exhibitors to a meeting to make them adopt fair business methods! What a farce!

If the contract goes through as it is, there is just one thing you could do. Take your woe to Senator Walsh, of Montana, or to any other Senator, and ask for an investigation of the acts, not only of the producer-distributor, but also of the exhibitor committee members. A thorough investigation of the acts of this committee is needed to clear up the mystery. And such an investigation can be brought about only by the United States Congress. The contract, as it now stands, is worse than the contract that was in effect last year and the year before. Any one with an ounce of intelligence will tell you that. And yet it has been ratified without any changes! The Trade Practice Conference last year decreed that all disputed points of the contract should be submitted to a seventh arbitrator, to be appointed by the Chief Justice of the Supreme Court. Commissioner Myers foresaw the possibility of disagreement among producers and distributors on points of the contract and sought to safeguard the interests of the exhibitors by having all disputed points submitted to a seventh arbitrator, appointed by a medium whose sincerity and sense of fairness could not be doubted. But not a single clause has been referred to such an arbitrator. At Chicago, Al Steffess proposed that the exhibitor members vote unanimously on all disputed clauses, his intention being to force such clauses to the seventh arbitrator. But by some manipulation the "unanimous rule" was made "unity rule." So no matter what one of the exhibitor members of the committee thought of a clause, he was unable to make his opinion prevail, because of the "unit rule," put over on the exhibitors by the producers by steamroller tactics.

Wake up! Do something! They are robbing you of everything you have by political manipulation. They are chaining your foot to an iron ball.

And you are permitting it. Have you become a fatalist?

THE CONTRACT FOR INTERNATIONAL NEWS

Mr. R. V. Anderson, Sales Manager of International News, informs this paper that the contracts for their newsweekly is for a stated number of issues. When the exhibitor runs all the issues, the contract becomes automatically cancelled.

In sending this information to HARRISON'S REPORTS, Mr. Anderson was prompted by the editorial about the cancellation provision in some News Weekly contract, printed in the issue of October 6.

THE SEVENTH ARTICLE ON TALKING PICTURES

If you are contemplating the purchase of a non-synchronous instrument or of a talking picture instrument, wait until the seventh article on "Facts About Talking Pictures and Instruments" appears in these columns. Because of the technical information that I was obliged to secure, I could not make this article ready to print it this week. But I shall do so next week.

The information you will get from this article will enable you to determine what instrument is the best on the market. Thus you will save yourself of much money by making it unnecessary to buy a good instrument after you bought a pretty good, a fair, or a mediocre instrument. Facts will be printed that will enable you to determine this matter for yourself. A big exhibitor can afford to invest extra money for the purchase of a better instrument, but the small exhibitor cannot. So if you are a small exhibitor, wait another week.

TO THE "LITTLE FELLOWS," MANUFACTURERS OF NON-SYNCHRONOUS INSTRUMENTS

Some exhibitors, and some non-exhibitors, have requested me to review in HARRISON'S REPORTS the non-synchronous instruments they manufacture so as to bring them to the attention of the exhibitors.

As much as I should like to help them out, I cannot do so unless they comply with certain conditions: (1) They must have an instrument in this city for me to look over. (2) They must prove to this paper that their manufacturing facilities are such that they can render service to the exhibitor without interruption. (3) They must prove that they will be able to supply to the exhibitor cue sheets so that he may be enabled to accompany the picture with appropriate music. And the cue sheets must be prepared by a competent musician.

In view of the fact that a commendation of these instruments in HARRISON'S means free publicity to the value of tens of thousands of dollars, it is not unreasonable to request that the manufacturers of these instruments comply with these rules. I cannot take the responsibility of advising any one of you to purchase an instrument unless I am sure first that they will be able to perform their obligations towards you. The instruments may be first class, but without cue sheets and without good records, they are of little value.

IN TWO SECTIONS—SECTION TWO

HARRISON'S REPORTS

Vol. X

SATURDAY, OCTOBER 20, 1928

No. 42

(Partial Index—No. 5—Pages 127 to 164)

Air Circus, The—Fox.....	146
Albany Night Boat, The.....	151
Baby Cyclone—Metro-Goldwyn.....	158
Beautiful But Dumb—Tiffany-Stahl.....	142
Beggars of Life—Paramount.....	155
Beware of Blondes—Columbia.....	134
Butter and Egg Man, The—First National.....	138
Camerman, The—Metro-Goldwyn-Mayer.....	155
Captain Swagger—Pathe.....	155
Cardboard Lover, The—Metro-Goldwyn-Mayer.....	143
Celebrity—Pathe.....	146
Circus Kid, The—F B O.....	150
Danger Street—F. B. O.....	159
Divine Sinner, The—Rayart.....	150
Docks of New York, The—Paramount.....	154
Excess Baggage—Metro-Goldwyn-Mayer.....	154
First Kiss, The—Paramount.....	135
Fleet's In, The—Paramount.....	158
Forbidden Love—Pathe.....	158
Four Devils—Fox.....	162
Four Walls—Metro-Goldwyn-Mayer.....	134
Grain of Dust, A—Tiffany-Stahl.....	151
Kit Carson—Paramount.....	143
Man Made Woman—Pathe.....	154
Manhattan Knights—Excellent-Reg.....	143
Mating Call, The—Paramount.....	162
Midnight Life—Gotham-Reg.....	147
Mother Knows Best—Fox.....	159
Night Bird, The—Universal-Jewel.....	142
Night Watch, The—First National.....	139
Oh, Kay—First National.....	138
Our Dancing Daughters—Metro-Goldwyn-Mayer.....	163
Out of the Ruins—First National.....	135
Patriot, The—Paramount.....	139
Plastered in Paris—Fox.....	158
Power—Pathe.....	146
Red Mark, The—Pathe.....	150
River Pirate, The—Fox.....	154
Romance of a Rogue—Regional (State Rights).....	138
Sawdust Paradise, The—Paramount.....	139
Scarlet Lady, The—Columbia.....	134
Shadows of the Night—Metro-Goldwyn-Mayer.....	150
Show Girl—First National.....	155
Singapore Mutiny—F B O.....	163
Singing Fool, The—Warner Bros.....	162
Son of the Golden West—F B O.....	158
Speed Classic, The—Excellent-Reg.....	134
State Street Sadie—Warner Bros.....	147
Submarine—Columbia.....	142
Sweet Sixteen—Rayart.....	147
Terror, The—Warner Bros.....	134
Toilers, The—Tiffany-Stahl.....	163
Virgin Lips—Columbia.....	138
Water Hole, The—Paramount.....	142
Waterfront—First National.....	146
Whip, The—First National.....	155
Win That Girl—Fox.....	159
Wright Idea, The—First National.....	135

FIRST NATIONAL EXHIBITION VAULES

546 Shepherd of the Hills—Jan. 1.....	Special
542 Helen of Troy—Jan. 8.....	Special
446 French Dressing—Jan. 15.....	900,000B
459 Sailors' Wives—Jan. 22.....	800,000B
437 The Moose—Jan. 29.....	1,300,000B
445 The Whip Woman—Feb. 5.....	900,000B
426 The Chaser—Feb. 12.....	1,000,000B
464 The Wagon Show—Feb. 19.....	700,000B
455 Flying Romeos—Feb. 26.....	1,100,000B
447 Mad Hour—March 4.....	900,000B
440 Burning Daylight—March 11.....	950,000B
434 Heart of a Follies Girl—March 18.....	1,100,000B
448 The Big Noise—March 25.....	900,000B
451 Ladies' Night—April 1.....	1,000,000B

436 Little Shepherd of Kingdom Come—April 8.....	1,300,000B
461 Chinatown Charlie—April 15.....	800,000B
468 Canyon of Adventure—April 22.....	700,000B
444 Harold Teen—April 29.....	900,000B
449 Lady Be Good—May 6.....	900,000B
456 Vamping Venus—May 13.....	1,100,000B
435 The Yellow Lily—May 20.....	1,100,000B
442 The Hawk's Nest—May 27.....	950,000B
467 The Upland Rider—June 3.....	700,000B
460 Three Ring Marriage—June 10.....	800,000B
438 Wheel of Chance—June 17 (Roulette).....	1,300,000B
429 Happiness Ahead—June 24.....	1,300,000B
466 Code of the Scarlet—July 1.....	700,000B
539 Good Bye Kiss (S)—July 8.....	Special
463 The Wright Idea—Aug. 5.....	800,000B
439 Out of the Ruins—Aug. 19.....	1,300,000B
430 Oh, Kay—Aug. 26.....	1,300,000B
551 Butter and Egg Man—Sept. 2.....	Special
490 The Night Watch (S)—Sept. 9.....	1,100,000B
496 Waterfront (S)—Sept. 16.....	900,000B
502 Show Girl (S)—Sept. 23.....	1,000,000B
552 The Whip (S)—Sept. 30.....	Special
495 The Crash—Oct. 7.....	950,000B

FEATURE RELEASE SCHEDULE

(NOTE: Notice that hereafter all synchronized subjects will be indicated on the list as follows: "S" means that the subject has been synchronized, but only with music—in no part of the film do the characters talk; "PT" means that the characters talk in some of the situations, and that the remainder of the film is synchronized with music; "AT" means that the characters talk all the way through.)

Columbia Features

The Scarlet Lady—Lya de Putti-Don Alvarado.....	Aug. 1
Court-Martial—Jack Holt-B. Compson.....	Aug. 12
Runaway Girls—S. Mason-A. Rankin (reset).....	Aug. 23
Street of Illusion—V. Valli-I. Keith.....	Sept. 3
Sinner's Parade—D. Revier-V. Varconi.....	Sept. 14
Submarines—Jack Holt-R. Graves-D. Revier.....	Sept. 23
Driftwood—M. Day-D. Alvarado.....	Oct. 15
Stool Pigeon—O. Borden-C. Delaney.....	Oct. 25
Power of the Press—J. Ralston-D. Fairbanks, Jr.....	Oct. 31
Nothing to Wear—J. Logan-T. Von Elts.....	Nov. 5
Submarine—J. Holt-R. Graves-D. Revier (reset).....	Nov. 12
The Apache—M. Livingston-D. Alvarado.....	Nov. 19
The Lone Wolf's Daughter—B. Lytell-G. Olmstead.....	Nov. 30

Excellent Features

Manhattan Knights—Bedford-Miller (reset).....	Aug. 15
Life's Crossroads—G. Hulette-Wm. Conklin.....	Aug. 25
Power of the Press.....	Sept. 10
Dream Melody.....	Sept. 20
Confessions of a Wife.....	Sept. 30
Life's Crossroads—G. Hulette-W. Conklin (reset).....	Oct. 15
The Passion Song—N. Beery-G. Olmstead.....	Oct. 20
Broken Barriers.....	Nov. 1
Power of the Press.....	Nov. 10
Dream Melody.....	Nov. 20
Confessions of a Wife.....	Nov. 30

F. B. O. Features

8247 The Bantam Cowboy—Buzz Barton.....	Aug. 12
9221 Terror Mountain—Tom Tyler.....	Aug. 19
—9211 The Perfect Crime (PT)—C. Brooks.....	Aug. 19
—9201 Danger Street—W. Baxter-M. Sleeper.....	Aug. 26
—9233 Captain Careless—Bob Steele.....	Aug. 26
9291 Dog Law—Ranger.....	Sept. 2
—9212 Taxi 13 (PT)—Conklin-Sleeper.....	Sept. 2
—9215 Gang War (PT)—O. Borden-J. Pickford.....	Sept. 2
—9202 Stocks and Blondes—Logan-Gallagher.....	Sept. 9
—9203 Charge of the Gauchos—Logan-Bushman.....	Sept. 16
9241 The Young Whirlwind—Buzz Barton.....	Sept. 16
—9213 Hit of the Show (PT)—Olmstead-Brown.....	Sept. 23
9251 Son of the Golden West—Tom Mix.....	Oct. 1
9222 The Avenging Rider—Tom Tyler.....	Oct. 7
9214 The Circus Kid (PT)—Darro-Hanneford.....	Oct. 7
9205 Sally's Shoulders—Wilson-Hackathorne.....	Oct. 7
—9209 Singapore Mutiny—E. Taylor-R. Ince.....	Oct. 14
9232 Lightning Speed—Bob Steele.....	Oct. 21
9242 Rough Ridn' Red—Buzz Barton.....	Nov. 4

9293 Tracked—Ranger	Nov. 4
9206 Sinners in Love—O. Borden-H. Gordon....	Nov. 4
9207 His Last Haul—S. Owen-T. Moore.....	Nov. 11
9212 Taxi 13 (PT)—Conklin-Sleeper (reset).....	Nov. 18
9225 Tyrant of Red Gulch—Ton Tyler.....	Nov. 25
9252 King Cowboy—Tom Mix.....	Nov. 26

Fox Features

Street Angel (S)—Gaynor-Farrell (reset)	Aug. 19
The River Pirate (S)—McLaglen-Moran (reset)	Aug. 26
Four Sons (S)—Mann-Collyer-Hall (reset)	Sept. 2
Fazil (S)—Farrell-Nissen (reset)	Sept. 9
Win That Girl (S)—Rollins-Carol	Sept. 16
Plastered in Paris (S)—Cohen-Pennick	Sept. 23
The Air Circus (S)—Rollins-Carol	Sept. 30
Dry Martini (S)—Astor-Moore-Gran (reset).....	Oct. 7
Making the Grade (S)—Lowe-Moran (reset).....	Oct. 14
Mother Machree (S)—Bennett-McLaglen.....	Oct. 21
Mother Knows Best (PT)—Bellamy-Dresser.....	Oct. 28
Sunrise (S)—Gaynor-O'Brien.....	Nov. 4
Prep and Pep—Rollins-Drexel.....	Nov. 11
Me, Gangster (PT)—Terry-Collyer-Macdonald....	Nov. 18
Riley the Cop (PT)—Macdonald-Drexel-Rollins....	Nov. 25
The Red Dance (S)—Del Rio-Farrell.....	Dec. 2

Gotham Features

Midnight Life (Man Higher Up)—Bushman.....	Aug. 15
The River Woman—L. Barrymore-J. Logan.....	Aug. 22
Through the Breakers—Livingston-Herbert.....	Sept.
The Head of the Family—Russell-Bennett-Corbin..	Oct.
Times Square (S)—Day-Lubin.....	Oct.
A Modern Sappho—B. Bronson.....	Nov.
Knee High—Virginia Lee Corbin.....	Dec.
Father and Son—N. Beery, Sr.-N. Beery, Jr.....	Not set
Girl from Argentine (S).....	Not set

Metro-Goldwyn-Mayer Features

835 Four Walls—Gilbert-Crawford	Aug. 11
829 The Cardboard Lover—Davies-Goudal	Aug. 25
907 Our Dancing Daughters (S) Crawford-Brown.....	Sept. 1
914 Excess Baggage (S)—Wm. Haines-J. Dunn	Sept. 8
942 Beyond the Sierras—Tim McCoy	Sept. 15
918 The Cameraman—B. Keaton (reset).....	Sept. 15
902 Beau Brummage—L. Cody (reset).....	Sept. 22
938 While the City Sleeps (S)—Chaney (reset).....	Sept. 29
949 Shadows of the Night—Flash.....	Oct. 6
811 Napoleon—French cast.....	Oct. 13
911 Brotherly Love (S)—Dane-Arthur.....	Oct. 13
935 Show People (S)—M. Davies.....	Oct. 20
936 The Wind (S)—L. Gish.....	Oct. 27
901 The Baby Cyclone—Cody-Pringle.....	Nov. 3
930 Mask of the Devil—L. Gilbert.....	Nov. 10
943 The Bushranger—Tim McCoy.....	Nov. 10
937 A Woman of Affairs—G. Garbo-J. Gilbert....	Nov. 17
915 Alias Jimmy Valentine—Wm. Haines.....	Nov. 24

Paramount Features

2801 Warming Up (S)—Dix-Arthur (reset).....	Aug. 4
2874 Forgotten Faces—Brook-Brian (reset).....	Aug. 11
2819 Loves of an Actress (S) Negri (reset).....	Aug. 18
2835 Just Married—Hall-Taylor (reset).....	Aug. 18
2870 The Water Hole—J. Holt-Carroll (reset).....	Aug. 25
2804 The First Kiss—Cooper-Wray.....	Aug. 25
2829 Sawdust Paradise (S)—Ralston-Bosworth.....	Sept. 1
2852 The Patriot (S)—E. Jannings-L. Stone.....	Sept. 1
2855 The Fleet's In—Clara Bow.....	Sept. 15
2862 Beggars of Life (S)—Beery (reset).....	Sept. 22
2839 Model from Montmartre—Petrovich (reset).....	Sept. 22
2807 The Docks of N. Y.—Bancroft-Compson.....	Sept. 29
2853 Weeding March (S)—Von Stroheim (reset).....	Oct. 6
2802 Moran of the Marines—R. Dix-R. Elder.....	Oct. 6
2810 Take Me Home—B. Daniels-N. Hamilton....	Oct. 13
2814 Varsity (PT)—C. Rogers—"Sophomore".....	Oct. 27
2820 Woman from Moscow (S)—Negri-Kerry.....	Nov. 3
2838 Huntingtower (BRIT)—Sir Harry Lauder.....	Nov. 3
2824 Avalanche—Jack Holt-Hill-Baclanova.....	Nov. 10
2821 His Private Life—A. Menjou.....	Nov. 17
2866 Manhattan Cocktail (S)—Arlen-Carroll.....	Nov. 24

Pathe Features

9520 The Cop—William Boyd	Aug. 19
9521 The Red Mark	Aug. 26
9671 The Black Ace Don Coleman.....	Sept. 2
9544 Man-Made Women—L. Joy-H. B. Warner....	Sept. 9

9519 Craig's Wife—I. Rich (reset).....	Sept. 16
9513 Power—Wm. Boyd.....	Sept. 23
9511 The King of Kings—H. B. Warner.....	Sept. 23
9511 The King of Kings (S)—Warner (reset).....	Sept. 30
9621 Burning Bridges—Haryr Carey.....	Sept. 30
9515 Celebrity—Robt. Armstrong	Oct. 7
9545 Captain Swagger (S)—Rod La Rocque.....	Oct. 14
9516 Show Folks (PT)—E. Quillan.....	Oct. 21
9546 Forbidden Love—L. Damita.....	Oct. 28
9531 Sal of Singapore (PT)—P. Haver.....	Nov. 4
9532 Marked Money—Jr. Coghlan.....	Nov. 11
9514 Annapolis (S)—Loff-Brown.....	Nov. 18
9512 Love Over Night—R. La Roque (reset).....	Nov. 25

Rayart Features

Man From Headquarters—E. Roberts-C. Keefe.....	Aug. —
Sweet Sixteen—Helen Foster-Gertrude Olmsted.....	Aug. —
The City of Purple Dreams—Fraser-Bedford.....	Sept. —
Sisters of Eve—B. Blythe-A. Stewart	Sept. —
Isle of Lost Men—T. Santschi-A. Connor.....	Oct. 15
Should a Girl Marry?—H. Foster-D'Keith.....	Nov. 1

Tiffany-Stahl Features

Domestic Relations—Claire Windsor	Aug. 15
The Toilers (S)—Fairbanks, Jr.-Ralston (reset).....	Sept. 1
The Naughty Duchess—Southern-Warner (reset).....	Sept. 10
Power of Silence—Bennett-Westwood (reset).....	Sept. 20
The Cavalier (S)—R. Talmadge-B. Bedford.....	Oct. 1
The Floating College—S. O'Neill-W. Collier.....	Oct. 10
George Washington Cohen—George Jessel.....	Oct. 20
Marriage by Contract (Tomorrow) (S)—Miller.....	Nov. 1
The Gun Runner—R. Cortez-N. Lane.....	Nov. 10
Queen of Burlesque—B. Bennett-J. E. Brown.....	Nov. 20

United Artists Features

Tempest (S)—Barrymore-Horn (reset).....	Aug. 25
Two Lovers (S)—Colman-Banky (reset).....	Sept. 7
Battle of the Sexes (S)—Hersholt-Haver (reset).....	Oct. 12
Woman Disputed (S)—N. Talmadge.....	Oct. 20
Revenge (S)—D. Del Rio (reset).....	Nov. 3
Awakening, The (S)—Banky (song film).....	Nov. 17
The Rescue (PT)—Colman-Damita.....	Nov.
The Love Song (PT)—Goudal-Velez.....	Nov.
Hell's Angels (S)—Lyon-Nissen.....	Roadshow

Universal Features

A5732 Home, James—L. LaPlante	Sept. 2
A5734 Anybody Here Seen Kelly—T. Moore.....	Sept. 9
A5735 The Night Bird—Denny	Sept. 16
A359 Guardians of the Wild—Rex-J. Perrin.....	Sept. 16
A5733 Foreign Legion—L. Stone-N. Kerry.....	Sept. 23
A5744 Grip of the Yukon—Marlowe-Bushman.....	Sept. 30
A360 The Cloud Dodger—Al. Wilson	Sept. 30
A5754 Clearing the Trail—Gibson.....	Oct. 7
A5738 How to Handle Women—Tryon.....	Oct. 14
A5739 The Michigan Kid—Adoree-Nagel.....	Oct. 21
A5740 Freedom of the Press—Lewis Stone.....	Oct. 28
A5741 Man Who Laughs (S)—Philbin-Veidt.....	Nov. 4
A5736 Jazz Mad—Hersholt-Nixon.....	Nov. 11
A5743 The Danger Rider—Gibson.....	Nov. 18
A5742 Red Lips—Rogers-Nixon.....	Dec. 2

Warner Brothers

218 State Street Sadie (PT)—M. Loy-C. Nagel.....	Aug. 25
228 Women They Talk About (PT)—Rich.....	Sept. 8
227 Caught in the Fog (PT)—McAvoy-Nagel.....	Sept. 22
223 The Midnight Taxi (PT)—Moreno-Costello.....	Oct. 6
The Terror (AT)—M. McAvoy-E. E. Horton.....	Oct. 20

ONE AND TWO REEL COMEDIES

Educational—One Reel

He Tried to Please—Collins-Hutton.....	Aug. 12
Troubles Galore—Collins-Ruby McCoy.....	Aug. 26
Cook, Papa, Cook—Murdock-Hutton-Cameo.....	Sept. 9
Wife Trouble—Graves-Cameo	Sept. 23
The Lucky Duck—Dale-Cameo.....	Oct. 7
All in Fun—Mandy-Cameo.....	Oct. 21
Hay Wire—Stone-Dale-Cameo.....	Nov. 4
Bumping Along—Stone-Marshall-Cameo.....	Nov. 18

Educational—Two Reels

Goofy Birds—Bowers	Aug. 12
Just Dandy—Drew-Mermaid	Aug. 19
Wedded Blisters—Lupino-Boyd-Tuxedo.....	Aug. 26
Hot Luck—Big Boy-Juvenile	Sept. 2

Pirates Beware—Lupino Lane	Sept. 9
Girlyes Behave—Drew-Ideal	Sept. 9
Call Your Shots—Al St. John-Mermaid	Sept. 16
Polar Perils—Monty Collins-Mermaid	Sept. 30
Companionate Service—Devore	Oct. 7
Come to Papa—Big Boy-Juvenile	Oct. 14
Stage Frights—Davis-Mermaid	Oct. 21
Fisticuffs—Lupino Lane	Oct. 28
Making Whoopee—Tuxedo Comedy	Oct. 28
The Quiet Worker—Drew-Ideal	Nov. 4
Hold That Monkey—Collins-Mermaid	Nov. 11

F B O—One Reel

Believe It or Not—Curiosities	Sept. 26
Fishing and How—Curiosities	Oct. 10
Pets—Curiosities	Oct. 24
Facts or Fancies—Curiosities	Nov. 7

F B O—Two Reels

Jessie's James—Vaughn-Cooke	Aug. 26
The Wages of Synthetic—Vaughn-Cooke	Sept. 2
Mickey's Movies—Micky McGuire	Sept. 2
You Just Know She Dares 'Em—Vaughn-Cooke	Sept. 9
Horsefeathers—Barney Google-Davis-Hallum	Sept. 9
Fooling Casper—Toots and Casper-Hill-Duncan	Sept. 16
The Arabian Fights—Vaughn-Cooke	Sept. 16
Ruth Is Stranger Than Fiction—Vaughn-Cooke	Sept. 23
The Sweet Buy and Buy—Vaughn-Cooke	Sept. 30
Mickey's Rivals—Mickey McGuire	Sept. 30
Watch Your Pep—Vaughn-Cooke	Oct. 7
OK MNX—Barney Google	Oct. 7
Mild But She Satisfies—Caughn-Cooke	Oct. 14
What a Wife—Hill-Duncan	Oct. 14
What a Wife—Hill-Duncan	Oct. 14
That Wild Irish Pose—Vaughn-Cooke	Oct. 21
The Six Best Fellows—Vaughn-Cooke	Oct. 27
Mickey's Detective—Mickey McGuire	Oct. 28
The Naughty Forties—Vaughn-Cooke	Nov. 4
T-Bone Handicap—Barney Google	Nov. 4
Broadway Ladies—Vaughn-Cooke	Nov. 11
The Family Meal Ticket—Hill-Duncan	Nov. 11
Mickey's Athletes—Mickey McGuire	Nov. 25

Fox—One Reel

Snowbound—Varieties	Aug. 19
Neapolitan Days—Varieties	Sept. 2
Through the Aisles—Varieties	Sept. 16
Spanish Craftsmen—Varieties	Sept. 30
Steeplechase	Oct. 14
Drifting Through Gascony	Oct. 28
Glories of the Evening	Nov. 11
Monument Valley	Nov. 25

Fox—Two Reels

Her Mother's Back—Imperial	Aug. 19
----------------------------------	---------

Metro-Goldwyn-Mayer—One Reel

The Eagle's Nest—Oddity	Aug. 18
The Sacred Baboon—Oddity	Sept. 1
Bits of Africa—Oddity	Sept. 15
Murder—Oddity	Sept. 29
World's Playground—Oddity	Oct. 13
Wives For Sale—Oddity	Oct. 27
Lonely Lapland—Oddity	Nov. 10
Savage Customs—Oddity	Nov. 24

Metro-Goldwyn-Mayer—Two Reels

Imagine My Embarrassment (S)—Chase	Sept. 1
Should Married Men Go Home—Laurel-Hardy	Sept. 8
That Night—All Star	Sept. 15
Growing Pains (S)—Gang	Sept. 22
Heart of Gen. Lee—Events	Sept. 22
Early to Bed—Laurel-Hardy	Oct. 6
Do Gentlemen Snore—Stars	Oct. 13
The Ol' Gray House (S)—Gang	Oct. 20
All Parts—Chase	Oct. 27
Two Tars—Laurel-Hardy	Nov. 3
The Boy Friend—Stars	Nov. 10
Madame Dubarry—Events	Nov. 17
School Begins—Gang	Nov. 17
The Booster (S)—Gang	Nov. 24

Paramount—One Reel

Koko's Chase—Inkwell Imps	Aug. 11
---------------------------------	---------

Baby Feud—Krazy Kat	Aug. 18
Koko Heaves Ho—Inkwell Imps	Aug. 25
Sea Sword—Krazy Kat	Sept. 1
Koko's Big Pull—Inkwell Imps	Sept. 8
Show Vote—Krazy Kat	Sept. 15
Koko Kleans Up—Inkwell Imps	Sept. 22
The Phantom Trail—Krazy Kat	Sept. 29
Koko's Parade—Inkwell Imps	Oct. 6
Come Easy, Go Slow—Krazy Kat	Oct. 13
Koko's Dog Gone—Inkwell Imps	Oct. 20
Beaches and Scream—Krazy Kat	Oct. 27
Koko in the Rough—Inkwell Imps	Nov. 3
Nicked Nags—Krazy Kat	Nov. 10
Koko's Magic—Inkwell Imps	Nov. 17
The Liar Bird—Krazy Kat	Nov. 24

Paramount—Two Reels

Dizzy Diver (S)—Dooley (reset)	Aug. 11
Hot Scotch (S)—MacDuff (reset)	Aug. 18
Stop Kidding (S)—Vernon (reset)	Aug. 25
Skating Home—Chorus Girl	Sept. 1
Two Masters—Stars & Authors (reset)	Sept. 8
Vacation Waves (S)—Horton (set)	Sept. 15
The Sock Exchange (S)—Vernon (set)	Sept. 22
Oriental Hugs (S)—Dooley	Sept. 29
Loose Change—MacDuff	Oct. 6
Picture My Astonishment—Chorus Girl	Oct. 13
Call Again—Horton	Oct. 30
The Dancing Town—Stars and Authors	Oct. 27
Hot Sparks—Vernon	Nov. 3
A She-Going Sailor—Dooley	Nov. 10
Lay on MacDuff—MacDuff	Nov. 17
Believe It or Not—Chorus Girl	Nov. 24

Pathe—Two Reels

His Unlucky Night—Sennett	Aug. 12
Smith's Restaurant—Smith Family	Aug. 19
The Chicken—Sennett	Aug. 26
His Royal Slyness—Harold Lloyd (re-issue)	Sept. 2
Taxi for Two—Sennett-J. Cooper	Sept. 2
Caught in the Kitchen—Sennett-B. Bevan	Sept. 9
A Dumb Waiter—Sennett-J. Burke	Sept. 16
The Campus Carmen—Sennett Girls	Sept. 23
Motor Boat Mamas—Sennett	Sept. 30
No Picnic—Smitty-Dempsey	Oct. 7
The Bargain Hunt—Sennett De Luxe	Oct. 14
Smith's Catalina Rowboat Race—Sennett-Smith	Oct. 21
Taxi Scandal—Sennett-Cooper	Oct. 28
Hubby's Latest Alibi—Sennett-Bevan	Nov. 4
A Jim Jam Janitor—Sennett-Burke	Nov. 11
No Sale—Smitty-Hamilton	Nov. 18
The Campus Vamp—Sennett Girls	Nov. 25

Universal—One Reel

King of Shebas—Drugstore (reset)	Aug. 13
Hot Dog—Oswald Cartoon (reset)	Aug. 20
A Hurry Up Marriage—Harold Highbrow (re.)	Aug. 27
Sky Scraper—Oswald Cartoon	Sept. 3
Hollywood or Bust—Horace in Hollywood	Sept. 10
Mississippi Mud—Oswald Cartoon	Sept. 17
Panicky Pancakes—Oswald Cartoon	Oct. 1
Come on, Horace—Horace in Hollywood	Oct. 8
The Fiery Fireman—Oswald Cartoon	Oct. 15
Bull-Oney—Oswald Cartoon	Oct. 29
Fun in the Clouds—Horace in Hollywood	Nov. 5
Rocks and Socks—Oswald Cartoon	Nov. 12

Universal—Two Reels

Newlyweds' Anniversary—Jr. Jewel	Aug. 6
McGinis vs. Jones—Stern Bros.	Aug. 8
Busting Buster—Stern Bros.	Aug. 15
She's My Girl—Stern Bros.	Aug. 22
Husbands Won't Tell—Stern Bros.	Aug. 29
Newlyweds' Hard Luck—Jr. Jewel	Sept. 5
Rubber Necks—Stern Bros.	Sept. 12
Half Back Buster, Stern Bros.	Sept. 19
Just Wait—Stern Bros.	Sept. 26
Newlywed's Unwelcome—Jr. Jewel	Oct. 3
Look Pleasant—Stern Bros.	Oct. 10
Buster Trims Up—Stern Bros.	Oct. 17
Shooting the Bull—Stern Bros.	Oct. 17
Newlywed's Court Trouble—Jr. Jewel	Oct. 31
Cross Country Bunion Race—Stern Bros.	Nov. 7
Teacher's Pest—Stern Bros.	Nov. 14

CHART OF RELEASE DAYS FOR ALL NEWS WEEKLIES

International News		Pathe News		Fox News		Kinograms		Paramount News		M-G-M News	
Even	Odd	Odd	Even	Odd	Even	Odd	Even	Odd	Even	Even	Odd
Rel.	Rel.	Rel.	Rel.	Rel.	Rel.	Rel.	Rel.	Rel.	Rel.	Rel.	Rel.
Albany	Sat. 0 Wed. 0	Sun. 1 Thur. 1	Wed. 0 Sat. 0	Sun. 1 Thur. 1	Mon. 2 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Wed. 0	Sat. 0 Wed. 0	Sat. 0 Wed. 0	Sat. 0 Wed. 0
Atlanta	Mon. 2 Thur. 1	Mon. 2 Thur. 1	Thur. 1 Sun. 1	Sun. 1 Thur. 1	Mon. 2 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Mon. 2 Thur. 1	Mon. 2 Thur. 1	Mon. 2 Thur. 1	Mon. 2 Thur. 1
Boston	Sun. 1 Wed. 0	Mon. 2 Thur. 1	Wed. 0 Sun. 1	Sun. 1 Thur. 1	Mon. 2 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1
Buffalo	Sun. 1 Wed. 0	Sun. 1 Thur. 1	Wed. 0 Sun. 1	Sun. 1 Thur. 1	Mon. 2 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sat. 0 Wed. 0	Sat. 0 Wed. 0	Sat. 0 Wed. 0
Butte	Wed. 4 Sat. 3	Wed. 4 Sat. 3	Sat. 3 Tues. 3	—	—	—	—	Tue. 3 Sat. 3	Wed. 4 Sat. 3	Wed. 4 Sat. 3	Wed. 4 Sat. 3
Charleston	Mon. 2 Thur. 1	—	Thur. 1 Sun. 1	—	—	—	—	—	—	—	—
Charlotte	Mon. 2 Thur. 1	Mon. 2 Thur. 1	Thur. 1 Sun. 1	Mon. 2 Thur. 1	Mon. 2 Thur. 1	Mon. 2 Thur. 1	Mon. 2 Thur. 1	Mon. 2 Thur. 1	Mon. 2 Thur. 1	Mon. 2 Thur. 1	Mon. 2 Thur. 1
Chicago	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Wed. 0 Sun. 1	Sat. 0 Wed. 0	Sun. 1 Thur. 1	Sat. 0 Wed. 0	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sat. 0 Wed. 0	Sat. 0 Wed. 0	Sat. 0 Wed. 0
Cincinnati	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Thur. 1 Sun. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1
Cleveland	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Thur. 1 Sun. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sat. 0 Wed. 0	Sat. 0 Wed. 0	Sat. 0 Wed. 0	Sat. 0 Wed. 0
Columbus	—	—	—	—	—	—	—	Sun. 1 Thur. 1	—	—	—
Dallas	Wed. 4 Sat. 3	Wed. 4 Sat. 3	Sat. 3 Wed. 4	Mon. 2 Sat. 3	Wed. 4 Sat. 3	Mon. 2 Sat. 3	Mon. 2 Sat. 3	Wed. 4 Sat. 3	Wed. 4 Sat. 3	Wed. 4 Sat. 3	Wed. 4 Sat. 3
Denver	Wed. 4 Sat. 3	Wed. 4 Sat. 3	Sat. 3 Mon. 2	Mon. 2 Sat. 3	Mon. 2 Sat. 3	Mon. 2 Sat. 3	Mon. 2 Sat. 3	Wed. 4 Sat. 3	Wed. 4 Sat. 3	Wed. 4 Sat. 3	Wed. 4 Sat. 3
Des Moines	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Thur. 1 Sun. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sat. 0 Wed. 0	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1
Detroit	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Thur. 1 Sun. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sat. 0 Wed. 0	Sat. 0 Wed. 0	Sat. 0 Wed. 0
El Paso	—	—	Sun. 4 Wed. 4	—	—	—	—	—	—	—	—
Indianapolis	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Thur. 1 Sun. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1
Jacksonville	Mon. 2 Thur. 1	—	Thur. 1 Mon. 2	—	—	—	—	Sun. 1 Thur. 1	—	—	—
Kansas City	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Thur. 1 Sun. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sat. 0 Wed. 0	Sat. 0 Wed. 0	Sat. 0 Wed. 0
Los Angeles	Tue. 3 Sat. 3	Sat. 7 Sun. 4	Sun. 4 Wed. 4	Wed. 4 Sat. 3	Wed. 4 Sat. 3	Wed. 4 Sat. 3	Wed. 4 Sat. 3	Tue. 3 Sat. 3	Tues. 3 Sat. 3	Tues. 3 Sat. 3	Tues. 3 Sat. 3
Memphis	Mon. 2 Thur. 1	Mon. 2 Thur. 1	Thur. 1 Mon. 2	—	—	—	—	Mon. 2 Thur. 1	Mon. 2 Thur. 1	Mon. 2 Thur. 1	Mon. 2 Thur. 1
Milwaukee	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Thur. 1 Sun. 1	Sun. 1 Wed. 0	Sun. 1 Wed. 0	Sun. 1 Wed. 0	Sun. 1 Wed. 0	Sun. 1 Thur. 1	Sat. 0 Wed. 0	Sat. 0 Wed. 0	Sat. 0 Wed. 0
Minneapolis	Sun. 1 Wed. 0	Sun. 1 Sat. 3	Wed. 0 Sun. 1	Sun. 1 Wed. 0	Sun. 1 Wed. 0	Sun. 1 Wed. 0	Sun. 1 Wed. 0	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1
New Haven	Sun. 1 Wed. 0	Mon. 2 Thur. 1	Wed. 0 Sun. 1	Sun. 1 Wed. 0	Sun. 1 Wed. 0	Sun. 1 Wed. 0	Sun. 1 Wed. 0	Sat. 0 Thur. 1	Sat. 0 Wed. 0	Sat. 0 Wed. 0	Sat. 0 Wed. 0
New Orleans	Mon. 2 Thur. 1	Thur. 5 Fri. 2	Thur. 1 Mon. 2	Mon. 2 Fri. 2	Mon. 2 Fri. 2	Mon. 2 Fri. 2	Mon. 2 Fri. 2	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1
NEW YORK	Sat. 0 Wed. 0	Sat. 0 Wed. 0	Wed. 0 Sat. 0	Sat. 0 Wed. 0	Sat. 0 Wed. 0	Sat. 0 Wed. 0	Sat. 0 Wed. 0	Sat. 0 Wed. 0	Sat. 0 Wed. 0	Sat. 0 Wed. 0	Sat. 0 Wed. 0
Oklahoma City	Sun. 1 Thur. 1	Wed. 4 Sun. 4	Sun. 4 Wed. 4	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Wed. 4 Sat. 3	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1
Omaha	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Thur. 1 Sun. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1
Peoria	—	—	—	—	—	—	—	Sun. 1 Thur. 1	—	—	—
Philadelphia	Sat. 0 Wed. 0	Mon. 2 Thur. 1	Wed. 0 Sat. 0	Mon. 2 Thur. 1	Mon. 2 Thur. 1	Mon. 2 Thur. 1	Mon. 2 Thur. 1	Mon. 2 Thur. 1	Sat. 0 Wed. 0	Sat. 0 Wed. 0	Sat. 0 Wed. 0
Pittsburgh	Sun. 1 Thur. 1	Mon. 2 Thur. 1	Thur. 1 Mon. 2	Mon. 2 Thur. 1	Mon. 2 Thur. 1	Mon. 2 Thur. 1	Mon. 2 Thur. 1	Mon. 2 Thur. 1	Sat. 0 Wed. 0	Sat. 0 Wed. 0	Sat. 0 Wed. 0
Portland, Ore.	Wed. 4 Sat. 3	Sat. 7 Mon. 5	Sat. 3 Wed. 4	—	—	—	—	Wed. 4 Sun. 4	Wed. 4 Sat. 3	Wed. 4 Sat. 3	Wed. 4 Sat. 3
Portland, Me.	Sun. 1 Thur. 1	—	—	—	—	—	—	Mon. 2 Thur. 1	—	—	—
St. Louis	Sat. 0 Wed. 0	Sun. 1 Thur. 1	Wed. 0 Sat. 0	Sat. 0 Wed. 0	Sat. 0 Wed. 0	Sat. 0 Wed. 0	Sat. 0 Wed. 0	Sun. 1 Thur. 1	Sat. 0 Wed. 0	Sat. 0 Wed. 0	Sat. 0 Wed. 0
Salt Lake City....	Wed. 4 Sat. 3	Wed. 4 Sun. 4	Sat. 3 Wed. 4	Wed. 4 Sat. 3	Wed. 4 Sat. 3	Wed. 4 Sat. 3	Wed. 4 Sat. 3	Mon. 2 Fri. 2	Wed. 4 Sat. 3	Wed. 4 Sat. 3	Wed. 4 Sat. 3
San Antonio	—	—	—	—	—	—	—	Wed. 4 Sat. 3	—	—	—
San Francisco	Wed. 4 Sat. 3	Sat. 7 Sun. 4	Sat. 3 Wed. 4	Tue. 3 Sat. 3	Wed. 4 Sat. 3	Wed. 4 Sat. 3	Wed. 4 Sat. 3	Wed. 4 Sat. 3	Wed. 4 Sat. 3	Wed. 4 Sat. 3	Wed. 4 Sat. 3
Seattle	Wed. 4 Sat. 3	Mon. 2 Sat. 3	Sat. 3 Tues. 3	Wed. 4 Sat. 3	Wed. 4 Sat. 3	Wed. 4 Sat. 3	Wed. 4 Sat. 3	Wed. 4 Sat. 3	Wed. 4 Sat. 3	Wed. 4 Sat. 3	Wed. 4 Sat. 3
Sioux Falls	Mon. 2 Thur. 1	—	Thur. 1 Mon. 2	—	—	—	—	Mon. 2 Thur. 1	—	—	—
Vancouver	Mon. 2	—	Wed. 0	—	—	—	—	—	—	—	—
Washington	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Thur. 1 Sun. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Sun. 1 Thur. 1	Mon. 2 Thur. 1	Sat. 0 Wed. 0	Sat. 0 Wed. 0	Sat. 0 Wed. 0
Wichita, Kans. ..	Mon. 2 Thur. 1	—	—	—	—	—	—	—	—	—	—
Wilkes Barre	—	—	—	—	—	—	—	Mon. 2 Thur. 1	—	—	—
Winnipeg	Mon. 2	—	Mon. 5	—	—	—	—	—	—	—	—

NEW YORK RELEASE DATES OF THE DIFFERENT NEWS WEEKLIES

Metro-Goldwyn-Mayer

15 Odd Number.....Wednesday, Oct. 3
 16 Even Number.....Saturday, Oct. 6
 17 Odd Number.....Wednesday, Oct. 10
 18 Even Number.....Saturday, Oct. 13
 19 Odd Number.....Wednesday, Oct. 17
 20 Even Number.....Saturday, Oct. 20
 21 Odd Number.....Wednesday, Oct. 24
 22 Even Number.....Saturday, Oct. 27
 23 Odd Number.....Wednesday, Oct. 31
 24 Even Number.....Saturday, Nov. 3
 25 Odd Number.....Wednesday, Nov. 7
 26 Even Number.....Saturday, Nov. 10
 27 Odd Number.....Wednesday, Nov. 14
 28 Even Number.....Saturday, Nov. 17

Paramount

20 Even Number.....Wednesday, Oct. 3
 21 Odd Number.....Saturday, Oct. 6
 22 Even Number.....Wednesday, Oct. 10
 23 Odd Number.....Saturday, Oct. 13
 24 Even Number.....Wednesday, Oct. 17
 25 Odd Number.....Saturday, Oct. 20
 26 Even Number.....Wednesday, Oct. 24
 27 Odd Number.....Saturday, Oct. 27
 28 Even Number.....Wednesday, Oct. 31
 29 Odd Number.....Saturday, Nov. 3
 30 Even Number.....Wednesday, Nov. 7
 31 Odd Number.....Saturday, Nov. 10
 32 Even Number.....Wednesday, Nov. 14
 33 Odd Number.....Saturday, Nov. 17

Fox

3 Odd Number.....Wednesday, Oct. 3
 4 Even Number.....Saturday, Oct. 6
 5 Odd Number.....Wednesday, Oct. 10
 6 Even Number.....Saturday, Oct. 13
 7 Odd Number.....Wednesday, Oct. 17
 8 Even Number.....Saturday, Oct. 20
 9 Odd Number.....Wednesday, Oct. 24
 10 Even Number.....Saturday, Oct. 27
 11 Odd Number.....Wednesday, Oct. 31
 12 Even Number.....Saturday, Nov. 3
 13 Odd Number.....Wednesday, Nov. 7
 14 Even Number.....Saturday, Nov. 10
 15 Odd Number.....Wednesday, Nov. 14
 16 Even Number.....Saturday, Nov. 17

Pathe

82 Even Number.....Wednesday, Oct. 3
 83 Odd Number.....Saturday, Oct. 6
 84 Even Number.....Wednesday, Oct. 10
 85 Odd Number.....Saturday, Oct. 13
 86 Even Number.....Wednesday, Oct. 17
 87 Odd Number.....Saturday, Oct. 20
 88 Even Number.....Wednesday, Oct. 24
 89 Odd Number.....Saturday, Oct. 27
 90 Even Number.....Wednesday, Oct. 31
 91 Odd Number.....Saturday, Nov. 3
 92 Even Number.....Wednesday, Nov. 7
 93 Odd Number.....Saturday, Nov. 10
 94 Even Number.....Wednesday, Nov. 14
 95 Odd Number.....Saturday, Nov. 17

International

79 Odd Number.....Wednesday, Oct. 3
 80 Even Number.....Saturday, Oct. 6
 81 Odd Number.....Wednesday, Oct. 10
 82 Even Number.....Saturday, Oct. 13
 83 Odd Number.....Wednesday, Oct. 17
 84 Even Number.....Saturday, Oct. 20
 85 Odd Number.....Wednesday, Oct. 24
 86 Even Number.....Saturday, Oct. 27
 87 Odd Number.....Wednesday, Oct. 31
 88 Even Number.....Saturday, Nov. 3
 89 Odd Number.....Wednesday, Nov. 7
 90 Even Number.....Saturday, Nov. 10
 91 Odd Number.....Wednesday, Nov. 14
 92 Even Number.....Saturday, Nov. 17

Kinograms

5436 Even Number.....Wednesday, Oct. 3
 5437 Odd Number.....Saturday, Oct. 6
 5438 Even Number.....Wednesday, Oct. 10
 5439 Odd Number.....Saturday, Oct. 13
 5440 Even Number.....Wednesday, Oct. 17
 5441 Odd Number.....Saturday, Oct. 20
 5442 Even Number.....Wednesday, Oct. 24
 5443 Odd Number.....Saturday, Oct. 27
 5444 Even Number.....Wednesday, Oct. 31
 5445 Odd Number.....Saturday, Nov. 3
 5446 Even Number.....Wednesday, Nov. 7
 5447 Odd Number.....Saturday, Nov. 10
 5448 Even Number.....Wednesday, Nov. 14
 5449 Odd Number.....Saturday, Nov. 17

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions.....	12.00
Canada and Mexico.....	12.00
England and New Zealand.....	14.50
Other Foreign Countries.....	16.50
25c. a Copy	

1440 BROADWAY

New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, OCTOBER 27, 1928

No. 43

Facts About Talking Pictures and Instruments--No. 7

After seeing and hearing "The Singing Fool," I could not help coming to the conclusion that talking pictures are here to stay, that they are a permanent institution, a new form of entertainment, the kind that fires the imagination of the picture-goer.

There is, however, this to say—before talking pictures can become a permanent institution, two things are necessary: good talking pictures, pictures of the caliber of "The Singing Fool," and instruments that will give the best tone quality possible.

How talking pictures of "The Singing Fool" quality can be made is a problem that concerns the producers of such pictures; what concerns us is to determine what instrument will give the best tone quality.

In the first article of this series, I expressed the theoretical opinion that the film method of sound recording and reproducing is better than the disc method, and that of the two types of film recording and reproducing, the variable density and the variable width, the variable width is the better. Since that time, I have given the matter a practical study and am now thoroughly convinced that my opinion of the variable width (Photophone) method of sound recording and reproducing is correct, not only theoretically but also practically.

Before going into the subject with a view to demonstrating by technical proof why the variable width type of sound recording and reproducing is better than the variable density method, let us once more discuss the disadvantages of the disc system. As I said in the first article of this series, the disc system does not record some of the audible high and low frequency sounds for the reason that, first, much of the vibrating energy generated either by the vocal cords or by a musical instrument is lost, being used up to cause the cutting tool to cut into the wax; and secondly the producers fear to record very low sounds for the reason that the oscillation of the cutting tool sideways is so great when affected by such sounds that it breaks the wall of the groove. In fact, the disc system cannot reproduce sounds of lower than 120 cycle frequency, or of higher frequency than 3,500 cycles, as against 60 and 5,000 cycles, respectively, recorded by the film method.

For the benefit of those that want the meaning of the word "cycles" defined more clearly let me say that a "cycle" is the wave that is generated by a vibrating body; and the number of cycles is the number of equidistant waves generated by such body per second. As the pitch of sound depends on the number of cycles, the fewer the cycles per second the lower the note, and the higher the cycles per second the higher the note.

* * *

As said, in the low-frequency region, the disc system does not record sounds below 120 cycles, whereas the film system records as low as 60 cycles; and that, in the high-frequency region, the disc system does not go above 3,500, whereas the film system records with satisfactory results as high as 5,000 cycles. This represents a loss in the disc system of as much as one full octave on either end of the musical scale. In other words, one octave is cut off from the scale in the bass note end, and one octave in the high note end. This is like trying to reproduce player-piano music by using the old style of sixty-six note player-piano instead of the modern eighty-eight note. The fact that a full octave is cut off from the low frequency sound region may be noticed in the playing of a photo-orchestra; one will see the hand of the bass violinist move to and fro, the cymbalist strike the cymbal, the bass drummer hit the bass drum, but one will not hear the sound. I have noticed the same effect in a bass guitar; I saw the fingers of the player strike the strings, but I heard no sound. Next time you see a talking or a sound picture that con-

tains shooting, notice that the shots sound like wind puffs. Such sounds are difficult of recording on the disc, as are several other kinds of sounds.

There are other disadvantages in the disc system. The fact, for example, that the inside grooves of the disc are of smaller circumference than the outside grooves produces an unequal tone quality; it gets worse and worse as the needle approaches the end of the record, for this reason: The outermost groove in a sixteen-inch record is approximately fifty inches long, whereas the innermost groove is, assuming that the grooves end within two and one-half inches of the centre of the record, only fifteen inches. Thus you will see that a given note is recorded, on the outside, in a groove fifty inches long, whereas on the inside, in a groove only fifteen inches long; and as the tone quality depends on length, the inside grooves do not record as many of the overtones as do the outside grooves, and naturally the tone quality grows poorer the further the needle gets away from the outer end of the record.

You may be surprised to know that the 16-inch synchronous records, which are run at $33\frac{1}{3}$ revolutions per minute, do not give as good a tone quality as do the 12-inch commercial records, for this reason: In the synchronous (16-inch) record, .5555 of a turn is run in one second, or 28 inches of groove, if the outside grooves are taken as the basis of calculation; whereas in the commercial (12-inch) record, the circumference of whose outside groove is $37\frac{1}{2}$ inches, about one and three-tenths of a turn are run in one second, because they are run at 78 revolutions per minute; and as the length of the groove is three (3.1416) times twelve inches, or about $37\frac{1}{2}$ inches, approximately 49 inches of groove length are run in one second. In other words, a note of one second duration is recorded, in the case of the synchronous disc record, on 28 inches of groove length, whereas in the commercial disc record, on 49 inches of groove length; and as the tone quality depends, as said, on length, you will realize, I am sure, why the commercial record gives at least fifty per cent. better tone quality than does the synchronous record.

There are still other disadvantages in this system: The needle, for example, may jump and enter another groove. This will, you realize, I am sure, throw the action and words or sound out of synchronism. I have been informed reliably that while "The Jazz Singer" was shown in this city, the operator one evening had to change fifteen records. The needle either jumped or broke the wall of the groove and entered another groove while it was on the spot of the record where low-frequency sounds had been recorded. If the arm bears lightly on the record, the needle may jump the groove; if it bears heavily on it, it wears out the record after three or four playings.

The fact that the arm changes its angle, too, is detrimental to the quality of sound.

The fact that the needle wears off considerably before reaching the end of the record, even in one run, is still another drawback. If one were to examine the needle under a microscope after it had run even over half of the record one will be surprised to see how much it is worn off. The record itself wears down, too; after it is used five or six times it must be replaced, if one is to get the best tone quality possible out of the limited possibilities of this system.

If the film is patched in several places and the part cut off is not put back from new stock, the action and words are thrown out of synchronism. This will necessitate the constant replacing of prints, making the cost of film to the smaller exhibitor almost prohibitive.

The discs are liable to break while in transit. A mix-up in shipment may also occur, the exhibitor receiving the
(Continued on last page)

"Take Me Home"—with Bebe Daniels*(Paramount, Oct. 13; 5,614 ft.; 65 to 80 min.)*

Not bad, although not anywhere near the quality of former Bebe Daniels contributions. It is a different kind of story from those that were given Miss Daniels in the past. Instead of being an athlete, she is a chorus girl, although she does not miss the opportunity of showing her strength when she gives the leading woman of the company a good beating. There is mild pathos in the part of Miss Daniels, and a great deal of comedy. The comedy is provoked by the situations as well as by Miss Daniels' good acting, but chiefly by Miss Daniels' acting.

The story is that of a young chorus girl who, although not flush with money, and has an invalid sister to support, decides to help a young man (hero), who is down and out. She eventually helps him get a job as a chorus boy in her own company. She falls in love with him; he, too, falls in love with her. The temperamental star becomes fascinated with him and throws her lines out to catch him. She invites him to her home, tricking the hero by making him believe that she would send for the heroine afterwards, when in reality she did not intend to do so. The heroine is heart-broken and, thinking that the hero is false, turns against him. In the end, however, she is convinced that he is true to her.

The plot has been founded on a story by Harlan Thompson and Grover Jones. The picture has been directed by Marshall Neilan well. Neil Hamilton is the hero. Lilyan Tashman is the temperamental actress. Joe Brown, star of the FBO picture "The Hit of the Show," is the friend of the heroine, who brings about her reconciliation with the hero.

"Red Lips"—with Charles Rogers and Marian Nixon*(Universal, Dec. 2; 6,957 ft.; 80 to 99 min.)*

Not much to it. It is a picture whose plot has been founded on the Percy Marks' story, "The Plastic Age," which was put into picture by B. P. Schulberg in 1925, so successfully. The interest is never aroused very tense, and there is very little sympathy for any of the characters. The characterization of Miss Nixon is so bad that one feels antipathy for her rather than sympathy.

It is the story of a young college boy, (hero) crack football player, who falls in love with one of his roommate's girl (heroine), whose picture hung on the wall of their room; he had never seen the girl. At a fraternity affair he meets the heroine. The heroine enters his dormitory at night with other students. The hero returns and is shocked to find her there. He orders her away, telling her that she has violated the rules of the college. A friend tells the heroine that she is an impedence to his career and she decides to leave town quietly. The hero forms the opinion that she is a frivolous girl, and turns against her, even though he loves her. In the end, however, she proves to him that she loves him. They become reconciled.

Melville Brown has directed the picture. Hugh Trevor, Stanley Taylor, Hayden Stevenson, and others are in the cast.

"The Naughty Duchess" with H. B. Warner and Eve Southern*(Tiffany-Stahl, Oct. 10; 5,271 ft.; 61 to 75 min.)*

A fair program picture for neighborhood houses. It is conventionally directed and acted according to pattern. H. B. Warner gives his usual performance, well acted and interesting. Miss Southern is charming as the girl who captivates all the men by her beauty. Duncan Rinaldo is fair enough as a ladies' man.

The story revolves around a young woman who enters the train and requests the passenger, who turns out to be a Duke, to protect her from the police by saying that she is his wife. This he does, and because the detectives follow them all the way to his house, he has to pretend to his household that she is his wife and the usual complications follow. The Duke falls in love with her, and decides that he really does want to marry her. And when the detective reaches the house with a warrant to arrest her, he decides to protect her at any cost. After telling him a wild story of having been lured to a roadhouse and

been forced to kill her admirer to protect her honor, he learns that she is really dodging a process server and so he promises to stand bail for her.

The picture was directed by Tom Terriss, the plot has been suggested by the Anthony Hope novel, "The Indiscretion of the Duchess." Others in the cast are Gertrude Astor as the Duke's sweetheart, and Martha Mattox as the housekeeper.

"While the City Sleeps"—with Lon Chaney*(Metro-Goldwyn, Sept. 29; 7,231 ft.; 84 to 103 min.)*

This is somewhat an imitation of "Underworld," only that its hero, unlike the hero in "Underworld," is on the side of the law and order; he is a plain-clothes man, the kind who always complain about their lot but who really like their work. The spectator's interest is held pretty tight by the doings of Mr. Chaney, who sets out to get his man (villain), a leader of a gang of underworld characters. Every time a crime is committed the villain proves that he was one mile away from the scene of the crime. For this he had been nicknamed "Mile-away" Skeeter. The real thrills come when the hero eventually detects the hideout of the villain and surrounds his lair, placing machine guns in a house opposite the hideout. When the villain and his gangsters open the door to enter an automobile to drive away so as to escape from the police, the policemen open fire and kill most of the gangsters on the spot. The villain, however, escapes. But the hero is hot on his trail, until he eventually overtakes him and shoots and kills him.

There is considerable comedy, caused by Polly Moran, who is supposed to be in love with the hero.

The story has been written by A. P. Younger. The picture has been directed by Jack Conway. Anita Page is the young heroine. Carroll Nye is the young man that loved the heroine. Wheeler Oakman is the villain. Mae Busch, Lydia Yeamans Titus, William Orlamond and others are in the cast.

"Me, Gangster"—with June Collyer, Don Terry and Anders Randolph*(Fox, Oct. 14; 6,042 ft.; 70 to 86 min.)*

A good crook melodrama. The action is fast, it has thrills and suspense as well as a love story. It also conveys a moral that no matter what pull a criminal may have, when he commits a crime he is bound to be caught and made to suffer for it.

The story revolves around a young gangster who is reading pages from his diary, as the story of his life unfolds from the time he was a little chap of about four, learning to drink at his father's knees, thence on to his eleventh year when he has already shown signs of being a hoodlum, having joined the corner gang of roughnecks, and so on to his nineteenth year when, as a full-fledged gangster, he deceives his loving mother and "kids" his politician father about his looking for work. Of course he is in love with the heroine, a hard-working girl who has an influence for good over him, even though this does not keep him from robbing and even shooting his victims. His father was able to save him from jail after he was caught the first time and he became more daring. But he is caught and sent to jail after committing a brazen robbery and serves his time. Finally he reforms when he is paroled and promises his sweetheart he would return the stolen money when he was released, having told her where he had hidden it so that she could take it to her home. The gang follows him to the house and they have a terrific fight. The hero with the help of a tenant in the house who had come up to find out what all the noise was about, succeeds in calling the police and of course the money is restored to its rightful owner and hero and heroine are united.

The sordid scenes in the tenement are realistic as are the scenes in the jail. Anders Randolph is very good in his role of roughneck father who had risen from stevedore to ward-heeler, taking bribes from gambling joints and otherwise protecting the criminals of his district; then getting a swell head, and being reduced in power, once more becoming a dock worker. Don Terry is likeable as the gangster; he is fearless and acts naturally. Miss Colyer is charming. Others in the cast are Burr McIntosh and Gustav Von Seyffertitz. The picture, adapted from the Charles Francis Coe novel, was directed skillfully by Raoul Walsh.

"Sal of Singapore"—with Alan Hale and Phyllis Haver

(Pathe, Nov. 4; 6,804 ft.; 79 to 97 min.)

A good melodrama, with a great deal of heart interest and some comedy. It is the story of a captain of a sail ship, who, while returning to his ship finds in the skiff a baby. He decides to keep it and to find some woman to take care of it. He comes upon Singapore Sal, a girl of the underworld, and lures her to his ship where he locks her in his cabin until they weigh anchor and set sail. Then he liberates her. At first she is furious but the cries of the baby attract her and she nurses it. On their return to San Francisco the baby becomes ill, and both spend sleepless nights by its bedside, nursing it and praying for its recovery. When they reach Golden Gate the hero, who had learned to love the heroine, tells her that she has greater claim on the baby than he had, and asks her to take it along when she goes ashore. The heroine, feeling inwardly that she is not fit to raise a baby, leaves a note telling the hero to keep the baby and to forget her. She then puts on the cheap finery she had worn when she was taken to the ship and goes into the ship of a rival of the hero, which ship was just setting sail for distant lands. The hero learns that the heroine had gone aboard his rival's ship and, ordering his men to weigh anchor, sets sail and overtakes the other ship and, after a fight between the two crews, takes the heroine away. The heroine is glad to be "rescued," for she came to realize that she could not live without the baby and the hero.

The plot has been founded on Dale Collins' "The Sentimentalist." The picture has been directed by Howard Higgin. Fred Kohler is the rival. Jules Cowles, Dan Wolheim and others are in the cast.

FACTS ABOUT TALKING PICTURES

(Continued from other side)

Comparing the tone quality of these two systems and expressing the results in percentages, one may say that—

A film made by the Movietone process and run on a "Movietone" type of talking picture instrument should give about 40 per cent. tone quality.

A film made by the Movietone process and run on a Photophone instrument should give 65 per cent. tone quality.

A film made by the Photophone process and run on a "Movietone" instrument should give 75 per cent. tone quality.

A film made by the Photophone process and run on a Photophone instrument should give about 90 per cent. tone quality.

The following producers-distributors use the Movietone system in addition to Fox: Paramount, Metro-Goldwyn-Mayer, First National, Universal, and Columbia.

* * *

Comparing the variable density system with the disc system one may say that the disc system, with all its limitations, is better than the variable density system for the reason that the former, even though it loses an octave from each end of the musical scale, is free from the grinding noises that accompany a film made by the variable density, or Movietone, system.

In making up your mind what instrument to buy, however, you must take into consideration that Warner Brothers, who use, as you know, the disc system, are far ahead of any other producer of talking pictures. They have, for example, produced "The Jazz Singer"; and it has made money for the exhibitors. They have made "The Terror," and it is pretty sure to draw well. And they have made "The Singing Fool," which, in this city, has had a bigger advance sale than any picture that has ever been produced during the entire life of the motion picture industry. And they have produced other money-makers. They have been "dabbling" in talking pictures for over two years now and have solved problems that will require the other producers as long to solve. So no matter how wrong in principle is the disc system; it is now bringing results to exhibitors. It will take the other producers two years before they catch up with Warners. And by the time they catch up with them, the Warner boys may again be found several jumps ahead.

But even though the Warners are just now ahead of every

other talking picture producer, the disc system cannot endure; it is wrong in principle, and when those of the producers that use, or will use, the Photophone system, or a better system than the Photophone, will start making good talking pictures, it will be the beginning of the end for this system. Those that use it, then, will be compelled to adopt the best film system in existence. They will have to; the public will compel them to, through lack of support at the box office. When the exhibitor that installs the best talking picture instrument, for example, starts showing as good talking pictures as his disc system using competitor, the public will be able to compare the two systems and will realize how inferior the disc system is. If they do not drop the disc system, the producers will not be able to receive as high film rentals as will those that produce films with the best existing system.

As far as interchangeability is concerned, even though it is bothering your minds now, let me say that this is not your problem; it is a problem that belongs to the producers, and by whom it will be solved. They have to solve it, for this reason:

Suppose there are one thousand Photophone instruments, or instruments even better than the Photophone, which may be invented, and the one thousand owners of them are willing to pay one thousand dollars each for a particular film, a film, say, like the "The Singing Fool"; if the producer refuses to let them have the film, his loss of revenue will be nearly one million dollars, or three-fourths of that amount, if one may take into consideration that the film may be run as silent at reduced rentals. How often will the producers be able to stand such a loss? After all, the manufacturer of the instruments, who, by a provision in his contract with the producers, forbids such producers to let them rent their talking pictures to those that have not installed his brand of instrument, will not be the sufferers. So you realize, I am sure, that it is altogether uneconomical, against all sound logic, for such a condition to be allowed to exist. If it should be allowed to exist, then these producers will be out of luck; for no one can arrest progress. If a particular system can give better tone quality, such system will find its way into the theatres, in some way, patents or no patents, restrictions or no restrictions. After all, the public will have something to say in this matter.

* * *

Now comes the question of non-synchronous instruments:

Since the Photophone non-synchronous instrument is the only one at present that uses the cone system of sound projection, it follows that this instrument is the only one that can give the best tone quality obtainable, just now. So it is up to you whether you want to wait to get the best, or to go ahead and get the best that can be obtained just now.

There is just one more observation that I desire to make to those of exhibitors that have installed or are intending to install, a talking picture instrument, of any kind: Do not buy sound pictures, because you can give a better tone quality with records obtained either from the Victor Phonograph Company, or from the Brunswick Company, or from any other record making company. Install a non-synchronous instrument and "synchronize" them yourself. There is no sense in paying big money for canned music of the worst kind. As far as the sound effects are concerned, if you want to pay one hundred dollars a day to hear some character cry, go ahead and pay it. Nobody can stop you. But why not buy a record with "tears" and make that character cry for seventy-five cents yourself, thus saving one hundred dollars or more a day? The Platter Cabinet Company, manufacturers of the Phototone, are about to make records with all the sounds known in life, even laughing and crying. The Victor Phonograph Company will, I am sure, make such records if requested. So will the Brunswick Company. By aid of these records, you can reproduce any sound a particular situation demands, at little cost. And produce it far better than some makers of talking pictures can. Even if the sound effects that are bought with the film were to be as good as the "home made," why pay so heavily for the sound rights, when you can manufacture them yourself? What you really need to stimulate your business is not sound pictures, but talking pictures. Most of the sound pictures put out just now will drive business away instead of attracting it.

I have tried to present you with accurate information to enable you to determine what kind of talking picture instrument will give the greatest satisfaction to your public. Study these facts carefully, and then use your own judgment.

wrong discs. These possibilities the distributors are trying to overcome by shipping two or three sets of records at different times. This, however, causes the express charges to mount.

In the film system of sound recording and reproducing, no such drawbacks exist, because of the fact that the sound is, as said, imprinted on the film itself.

* * *

Let us now discuss the advantages of the variable width system of sound recording and reproducing over the variable density system:

As said in the first article about the two film systems, in the variable density (Movietone) system, the various shades of lines run across the sound track; whereas in the variable width (Photophone) system, the sound track is transparent on one side, and dark on the other, the division line resembling, at times a saw, with the teeth uneven in length, at times a miniature mountain range, the shape of the "mountain" ridge depending on the pitch and volume of sound. In order for you to get a clearer conception of what these sound tracks are, examine the two cuts, which have been reproduced elsewhere in this issue. They are thirty-five times larger than the original. How large they are you may realize from the fact that the height of each cut represents one frame.

I have already said that any defects on the emulsion of the variable density system of sound track affects the quality of sound detrimentally, because there is no way by which they could be corrected. This you will realize fully well when you bear in mind that defects occur either in the manufacture of the raw stock or in developing. Such



Variable Density (Movietone) Sound Track.

defects cause a ground noise. I have noticed such noises in almost every Fox film that I have so far reviewed. In "The Four Devils" it is noticeable even to the untrained ear. In "Win That Girl" it is very bad. In "Me Gangster," which is playing at the Roxy this week, it is "terrible." In fact it is a great surprise to me that Mr. Rothafel, whose ears are so well tuned to music, could tolerate such noises. They are enough to drive away patrons, not to attract them.

Ground noises do not occur in the variable width system, or at least they occur seldom, for the reason that the variations of sound do not depend on "shadings" of the emulsion, as you will notice when examining the proper picture; the light goes through the transparent part, and does not go through the dark part. Any defects on the emulsion of the sound track of this system can be painted over, and the defect eliminated. It is my opinion that the variable density system of sound recording, if not dropped,

is going to cost the producers millions of dollars a year in retakes and in discarded bad prints. When the print gets a little old it has to be thrown on the junk pile. If it is not withdrawn, it is going to drive an exhibitor's custom away. The producers should adopt the Photophone system, because it gives the best results. The matter of obtaining the rights to use that system is not, in my opinion, difficult. If money is needed to secure these rights, the



Variable Width (Photophone) Sound Track.

producers will be the gainers in the end if they pay the price. In the long run, they will have to adopt a better method anyway! Why not now? Why continue throwing money away, in addition to retarding the development of this branch of entertainment?

* * *

Let us now discuss the two systems of sound projection, the horn and the cone.

In the first article of this series, I stated that the cone system of sound projection is better than the diaphragm-horn system. After hearing "The Toilers," which has been synchronized by the Photophone system, I have come to the conclusion that there is nothing in the market at present that will even approach the tone quality of the cone.

In order for you to understand the reasons why the cone can give better tone quality than the diaphragm-horn system, allow me to present you with some technical facts: The vibrations of a sound-producing medium set up air waves, which are projected into space. These waves, after reflection and absorption, disappear when the vibrating body ceases to vibrate. In the Photophone system, these air waves are sent out into space as they are generated by the cone, free from modification. In the horn system, the air waves are generated by the vibrations of the diaphragm. After being generated, they go through the horn. In the passage, they are modified, and even distorted, so that when they reach one's ear they are modified.

Another drawback in the horn system is the resonance. According to the science of acoustics, each body has its own sound pitch. When a note that is reproduced by the diaphragm is of the same pitch as that of the horn, it sets the horn to vibrating sympathetically, strengthening that note, without affecting the other notes. This is what is called resonance. It affects harmony adversely.

* * *

Summing it all up, one may say that examination of these facts proves that the Photophone, or variable width, system of sound recording, reproducing and projecting is far superior to the Movietone, or variable density, system.

(Continued on other side)

HARRISON'S REPORTS

Yearly Subscription Rates:
United States.....\$10.00
U. S. Insular Possessions 12.00
Canada and Mexico.. 12.00
England and New Zealand 14.50
Other Foreign Countries 16.50
25c. a Copy

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher
Established July 1, 1919
Tel.: Pennsylvania 7649
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, NOVEMBER 3, 1928

No. 44

EVERYTHING IS ALL RIGHT NOW!

Now that the Toronto Convention came together, "whereas" affiliated exhibitors into the MPTOA ranks, and disbanded, going home with our friend Pete Woodhull holding the brides for another year, no independent exhibitor need worry. The millenium, which generations have dreamed and seen it slip by, has come. It's here! I am sure that by next year every one of you will be floating in millions. 'Tis too bad that the convention was not held before the selling season had been ushered in. If it had, you would now be getting film for nothing; or, to be more accurate, the exchanges would be glad to let you have it for nothing.

Everything is all right now!

Why! Aren't you now brother-members with producer-distributors-exhibitors of the same organization? Just think of it, you Cleveland exhibitor disturbers, who have been keeping the industry sitting on needle points because of your constant naggings! Protection has been bothering you. Allocation of product has been bothering you. I really don't know of anything that has not been bothering you. But you will no longer have cause for complaint. If you need Metro films, or Paramount Superspecials, or Warner Brothers talking pictures, or First National, or Universal, or the films of any other producer-distributor, all you have to do is to go to Fred Desberg and tell him: "Fred! I need some pictures. I prefer Metro-Goldwyn-Mayer pictures and part of the best product you have contracted for," and I am sure Fred will reply: "Billy!" or "George!" Here's a list of what I've bought this season! Take out of it what you want and leave me the rest!" For isn't Fred now a member of the board of directors of your organization?

You, of the Chicago zone, too, are fortunate because of the new order of things; for all you have to do now is to go to Sammy Katz and YOU'LL GET IT. I don't know where, but you'll get it.

As far as you, the New York zone exhibitors, are concerned, you'll get it, and APLENTY, if you should decide to call on Nick Schenck for part of his product—the product he runs in the Loew theatres. I have never known another individual as tender-hearted as Nick and the other Loew Enterprises executives when it comes to giving up film. Many exhibitors of this zone, competitors of Nick Schenck, had to tell him quite often not to give up so much for them, for he might hurt his own theatres. It is real brotherly love with Nick.

I could travel from one end of the country to the other showing how fortunate you are now. The only thing I am afraid of is lest you get too greedy. Be reasonable! When you go to Fred, or to Sammy, or to Nick, don't ask for everything. Be content with half. Let them have the other half.

Everything is all right now!

I really don't see the need of arbitration boards any longer. The brother-exchangemen would not think of dragging you before the arbitration board. What matters if the contract is lopsided? Pretty soon you will not need any contracts. All you will have to do will be to take the word of the salesmen. If any one of them should dare violate his promise with you, Pete, the national president, the man who knows how to ride two horses at the same time so well, will be there to adjust everything for you.

Everything is all right now, even Hess' Copyright Protection Bureau!

Brookhart Bill? Oh, no! You don't need it now. Didn't Pete and the boys say so at Toronto? Besides, the Brookhart Bill was proposed to help you get product. Now that you can GET IT by merely asking for it, what need is there of such a bill? Let us tell Senator Brookhart that you are all happy now, and that you don't need the Gov-

ernment to protect you. Pete and the gang WILL DO IT. You are safer in their hands than you would be in the hands of the Government.

Everything is all right now!

As to the contract committee, I suggest that we keep it intact for the purpose of helping our friend Dick Biechele's son keep his job of hauling films from the exchanges to the Kansas board of censors, at seventy-five dollars per, or whatever the price "per" is.

Everything is all right now!

What worries me now is what friend Charlie Pettijohn is going to do! Heretofore he would while his hours away by travelling arm in arm with Pete Woodhull from state to state, attending exhibitor conventions, and trying to drive it into your head what a fine thing it would be if unaffiliated and affiliated exhibitors were to join the same organization. But now that the thing is accomplished his services will no longer be required. And as you hate, I am sure, to see Charlie fade out of the picture, I suggest that he start a golf school, giving the independent exhibitors free golf lessons. The exhibitors will get so fat from being rich under the new regime that they will need the exercise to keep weight down.

Since childhood I dreamed of the millenium. But who would ever think that it would come about in my time! And it is all due to Charlie and Pete. Three cheers for them!

P. S.: I have just read in the trade papers that the Omaha convention pledged allegiance to M. P. T. O. A. Pete and Charlie, the Siamese Twins, were present.

The President of the Omaha M. P. T. O. A. has a great heart. It was he that last fall, in an endeavor to protect the interests of independent exhibitors, went to Washington, at his own expense, and dragged his lawyer along with him, again at his expense, and told the Senate Committee that held the hearing how ruinous the Brookhart Bill would prove to the interests of the distributors. With big hearted men such as the President of M.P.T.O.A. of Nebraska, you have nothing to fear. Your interests are well protected.

THE SUBJECT OF MUSIC TAX

In the issue of September 29, I printed the following:

"Exhibitors that pay music tax to the Society of Composers, Authors and Publishers will not be charged an additional tax when they lease Victor 'Pict-ur-music,' as this library is called; the Victor Phonograph Company is paying the royalty to the Society, thus protecting its subscribers."

Through a conversation with a representative of the Victor Phonograph Company I received the impression that users of other than Victor records had to pay royalty to the Society of Composers, Authors and Publishers, irrespective of whether he paid such royalty for playing other music.

Since that time I received a request for more definite information on the subject. As a result I called on a representative of the Society and was told by him that those who pay royalty for sheet music will not have to pay other royalty; that only one royalty is charged by the organization he represented. In other words, an agreement between an exhibitor and the Society fixing the royalty on a certain price per seat entitles such exhibitor to play any kind of music, played on any kind of instrument.

ABOUT COLUMBIA'S "SUBMARINE"

The original title of "Submarine" was "Into the Depths." It was the working title, according to a news item in *Columbia Chats*, a house organ of this producer-distributor.

"The Home Towners" (AT) with a Star Cast

(Warner Bros., date not yet set; synchr. 8,693 ft.)

This is what may be termed the first "stage picture-play" that has been put into pictures; that is, it is an exact reproduction of George Cohan's stage play. Nine-tenths of it is conversation, and only about one-tenth physical action. It is a comedy drama, the underlying idea being the misfortune that a friend nearly brought upon another friend through his narrow views about life. He hailed from a small town, and his ideas were those of a small-town man; he viewed big city people with small-town glasses. As a result, he thought that all big-town people were crooks, until a young man, brother of the sweetheart of the big-town friend, by his manly conduct, brought the small-town man to the realization that his views about big town people were warped. This brought about happiness all around.

There is comedy all the way through, and some pathos. The characters live their part. Robert McWade, who takes the part of the man with small town ideas, played the same part in the stage play. He is superb. Gladys Brockwell, who takes the part of this man's wife, is very good, too. Richard Bennett, as the big-town man, also is very good. Others in the cast are: Robert Edeson, Vera Lewis and Stanley Taylor. The picture was directed by Bryan Foy.

While the dialogue is good, the tone quality is not so good; there is too much reverberation. It is evident that the studio had not been made thoroughly sound-proof. As a result, the talk is somewhat irritating. On the whole, it is a fairly good picture.

"Runaway Girls" with Shirley Mason and Arthur Rankin

(Columbia; Aug. 23; 5,725 ft.; 65 to 81 min.)

Fair. It is a modern story, conveying the lesson to parents that neglect of their children forces them to leave home, and that they fall into the clutches of men who prey upon the young girls. Shirley Mason is good enough as the college girl who loves her parents very much and is waiting for the school term to close so that she might re-join them. Arthur Rankin is fair as the hero (her sweetheart) who, too, is leaving college to seek a career as reporter and saxophone player.

The picture was directed by Mark Sandrich from a story by Lillie Heyward. Others in the cast are Hedda Hopper as the girl's fast-living mother; Alice Lake, as the manicurist, Edward Earle who was good as the villain and George Irving.

"Stool Pigeon" with Olive Borden and Charles Delaney

(Columbia; Oct. 25; 5,792 ft.; 67 to 82 min.)

Still another gangster melodrama. Like its predecessors, it has the usual thrills, suspense and action but it is only an ordinary program picture. Olive Borden as the hero's sweetheart is fair enough. Charles Delaney as the hero is not very convincing as a crook because his great love for his mother made him too much of a mother's boy

to want to do anything that would bring sorrow to her. Louis Natheaux is good as the leader of the gang who suspended the hero of snitching to the detectives whenever a job was to be pulled, and so was determined to take his life.

This time the young gangster (hero) is suspected of betraying the gang to the police because every time they planned a robbery the detectives were on the scene and so frustrated the hold-up. The leader attempted to kill him while the gang were all in a dance hall but a cigarette case in his pocket, given to him by his mother, prevented the bullet from doing the trick. To prove that he was not the stool-pigeon, even though he wanted to quit the game, he agrees to join them in another job. The heroine, thinking that her sweetheart had been killed, to get even with the gang tells the detectives. When it is too late to call them off, learning that her sweetheart was not killed, she tells the detectives that her boy friend was forced to go with the gang to save his life. But when the leader and the hero escape in their automobile, which was wrecked in the accident, while the leader had been killed, the hero, only wounded, is allowed to go free and hero and heroine are united, both wanting to go straight.

The picture was directed by Renaud Hoffman from a story by Edward Meagher. Lucille Beaumont as the hero's mother is sweet.

"The Midnight Taxi" (PT) with Antonio Moreno and Helene Costello

(Warner Bros., Oct. 6; synchronized, 5,729 ft.)

There are about three situations where the characters talk; the remainder is synchronized with music. The talk is not bad, but it is doubtful whether it adds to the entertaining values of the picture. It is a good melodrama, revolving around bootleggers. There is suspense in most of the situations. The suspense is caused by the fear lest the hero lose his money as a result of framing done to him by the villain and his gang, also bootleggers; as well as lest he be arrested by the authorities on circumstantial evidence, for the theft of some bonds, even though he was not guilty. Suspense is caused also by the knowledge that the heroine was carrying on a dangerous game when she joined the bootlegger crowd in an effort to recover the stolen bonds from the thief and thus prove the innocence of the man she loved, who had been sent up the river for the disappearance of the bonds from the bank where he was working as a clerk. There are some thrills, too, caused by the hero's uncoupling of a car from a railroad train; the car had backed up and speeded down hill, endangering his life as well as that of the heroine. Thrills are caused also in the scenes where the hero and heroine are shown, after they had brought the car to a stop, surrounded by the villain and his gang and being shot at; they are rescued when the authorities arrive.

The love affair between Antonio Moreno and Helene Costello is done well.

The plot has been founded on a story by Gregory Rogers. It was directed by John Adolph well. William Russell, Tommy Dugan, Myrna Loy, Pat Harrigan and others are in the cast.

"Varsity" (PT) with Charles Rogers, Mary Brian and Chester Conklin*(Paramount, Oct. 27; 5,802 ft.; 67 to 82 min.)*

In two or three of the situations the characters talk; in the remainder, the picture is synchronized. Here and there there is an attempt to imitate sound effects.

The talking part of it is poor. Involuntarily one strains his ears and eyes to see whether the words and the lip movements are synchronized. This proves that either the talk was put in afterwards, or that the synchronization was poor. The tone quality in that part is "frightful"; it indicates that the studio sound-proofing was inadequate. Another defect is the fact that, in the scenes where the characters talk, the hissing sound made resembles the running of mill machinery. Manifestly the scored part was recorded on the film, whereas the talk part on a disc. The tone quality of the scored part is not so bad.

As to the story, which unfolds in a college, it is very good, although there are too many drinking scenes in it. There is much pathos in it, for the reason that it concerns a father, who does not make his identity known to his son, a young student, but who pines for him and does everything to prevent him from drinking. The father, a drunkard, lost his wife, who died. His little son was taken away from him and put in an orphanage. Years later the father is seen working in a university as a janitor. He slaves, and whatever he saves he sends it to the asylum, with instructions that it be used to educate his son. When of age the son is sent to the college where the father is a janitor. The father conquers his great desire to tell the son that he is his father. The son becomes acquainted with the heroine and falls in love with her. He falls in bad company and takes to drinking. The father and the heroine try to save him from ruining himself. The son had some college funds in his care. The villain plans to rob him of them. The father tries to prevent it and is injured. The son, after the impact of the car against the wall, sobers up and grapples with the villain, and has him arrested. The money is soon recovered. The father is taken to the hospital. The thought that the janitor had risked his life to save his reputation awakens the son to the realization that he had not been leading a good life and reforms. He marries the heroine.

The closing scenes, which show the son and the heroine calling on the father to bid him good-bye before going on their honeymoon, are very touching. The father still forbids the heroine from disclosing his identity.

The plot has been founded on a story by Wells Root. The picture was directed by Frank Tuttle. Mary Brian does very well as the heroine, and Charles Rogers as the hero. It is a question whether Chester Conklin, as good an actor as he is, was a good choice for so pathetic a part. Since the mind associates him with comedy, perhaps another actor would have proved better for this serious part.

nevertheless it is entertaining, because of the thrills it offers, and because of the fact that it is able to hold the spectator's interest pretty alive all the way through. It is a sort of serial story, in that it has to do with the efforts of some crooks to get hold of a tin box containing several thousand dollars in bills, left to the young hero by his dead father. The box disappears once, but the characters on the hero's side are able to recover it. The villains get their just desserts in the end, as they always do in the moving pictures.

The plot has been founded on an original story by Howard J. Green. It has been directed by Spencer Bennet. Tom Kennedy, George Duryea, Bert Woodruff, Virginia Bradford, Maurice Black, and Jack Richardson are in the cast.

"Street of Illusion" with Ian Keith, Virginia Valli and Kenneth Thompson*(Columbia, Sept. 3; 6,110 ft.; 71 to 87 min.)*

What acting on the part of Ian Keith! With the exception of the acting of Mr. Jolson, no such acting has been seen in pictures for sometime. The closing scenes, where Mr. Keith, as the jealous lover, plans the destruction of the hero, whom the heroine loved, by putting real bullets into the gun that was used in one part of the stage drama, but is himself shot, are a great piece of art. All the way through Mr. Keith does great work; he impersonates an egotistical actor, who thinks he is the greatest actor in the world, but whose acting ability the world had not recognized.

The story revolves around the hero, an actor, who, with the heroine, also an actress, is down and out. He cannot obtain a position. He is offered a small part in a play, but he turns it down, because he would not play any other than a leading part. But the thought that he would go hungry unless he got a job soon, makes him reconsider. He recommends the heroine for the leading part. He is asked to bring her to the office of the manager. When the star of the play sees her he recognizes in her the young woman he had once met in the street accidentally and become attracted by her beauty, and recommends that she be engaged. The star falls in love with her and she with him. This makes the hero jealous. As time goes on and the heroine shows less interest in him and more interest in the star, the hero becomes mad with jealousy and plans the destruction of the star. He puts real bullets in his own gun, which he substitutes for the gun that was loaded with blank cartridges, used in the play. During the last scene the star trips and falls and the hero, who had been understudying, is asked to take the part. He manages to switch the guns again, but by coincidence the loaded gun is put in the place of the gun with the blank cartridges. The hero is thus shot. The audience did not know that he had been really shot, and took the hero's acting as a piece of art and acclaims him. As the curtain goes down for the last time, he is invited to the after-show supper in the theatre. He manages to attend, and expires after presenting to the star and to the heroine some mementoes, which he cherished.

Channing Pollock wrote the story. Earle Kenton directed it. Harry Myers, Harry Burkhardt and Vadim Uraneff are in the cast.

"Marked Money" with Junior Coghlan*(Pathe, Nov. 4; 5,506 ft.; 64 to 76 min.)*

It is a wild melodrama, lacking in sound logic;

RULE THREE OF THE TRADE PRACTICE CONFERENCE

Rule Three, originally introduced at the Trade Practice Conference by exhibitors, as Resolution No. 9, reads as follows:

RESOLVED. That the substitution by a producer or distributor for any photoplay contracted for by any exhibitor, as the photoplay of a specified star or of a specified director, or as based upon a specified story, book, or play, of any photoplay in which such specified star does not appear, or which has not been directed by such specified director, or which is not based upon such specified story, book, or play, as the case may be, unless with the consent of the exhibitor, is an unfair trade practice."

In giving this Rule in its pamphlet, the Federal Trade Commission appended the following:

"Example.—This resolution was adopted with the understanding that if the contract mentions neither star, cast, director, nor author in the description of the story, which in the Work Sheet is described as a play of college life, but when delivered proves to be a story dealing with the mining fields of Pennsylvania, it would be a substitution within the meaning of this resolution."

In other words, if the distributor attempted to force upon an exhibitor a picture that was sold only by title and no author or full story was given, but was described in the Work Sheet or in any other literature put out by such producer-distributor as a particular kind of picture, when in reality the finished product did not bear any resemblance to it, he, that is, the distributor, committed an unfair trade practice under the meaning of this resolution.

Now, the Trade Practice Conference was called for the purpose, as we all understand, of inducing the industry to adopt fair trade practices. The Government had recognized that certain unfair practices prevailed in the industry, and, in order to correct them, called producers, distributors, affiliated exhibitors, and unaffiliated exhibitors to a sort of convention, to help them adopt rules that will prevent abuses. The Government did not say that they feared that unfair trade practices might be employed; they said that unfair trade practices did prevail, which they wanted corrected at once. In other words, an unfair trade practice was unfair not only if practiced under the 1928-29 contracts but under all contracts.

The point that I desire to make is this: Many arbitration boards have been rendering decisions against exhibitors on substitution disputes, even though the exhibitor proved by documentary evidence that the pictures under dispute were substitutes, thus violating, not only the spirit of the Trade Practice Conference Rule, but also contractual rights, guaranteed by law. When a person buys a certain thing on certain specifications he is entitled to receive it according to those specifications and no other.

AGAIN ABOUT GROUP CONTRACTS

Recently I stated in these columns that when the distributor rejects one contract out of a group of contracts you signed on the same day all the contracts become null and void at your option.

This provision, however, does not apply to United Artists. By a special agreement, United Artists have been allowed to insert the following provision:

"The Distributor's right to approve or reject this application or any other application signed by the Exhibitor at the same time, or any other time, is not dependent upon the approval or rejection of such other application or this application.

"Agreed to
"Exhibitor."

Preceding this provision, the following wording appears:

"Application will be rejected immediately if the exhibitor does not sign as indicated."

This provision nullifies Paragraph Three, of Clause 22. So you had better remember it. If the salesman should assure you that all the contracts will be approved or rejected together, then refuse to undersign the foregoing provision. Your refusal to sign it will test the salesman's sincerity. If he sends the contracts to his Home Office, he will prove to you that he is sincere when he says that all or none of the contracts will be accepted; if he should still insist that you sign the provision, it will be proof of his insincerity and a "tip" for you not to sign it. No necessity exists for you to undersign the provision in question if the Home Office intends to accept or reject them all together.

Often you are induced to sign it because the film salesman has been your friend and has never failed you. But

depending on friendship in such a matter is unwise, for the reason that your friend may be discharged. In such an event, you will be holding the bag. Moreover, if the salesman is a real friend to you he will protect you by advising you not to put your signature under any provision that might work hardship on you. A real friend looks after the interests of his friend.

JUST TO PREVENT CONFUSION

When in treating of non-synchronous instruments I mention the Photophone as being the only instrument that is fitted with the cone system of sound projection, I refer to the instrument that is manufactured by RCA Photophone, Inc., whose address is 411 Fifth Avenue.

When I mention Phototone, I refer to the instrument that is manufactured by the Platter Cabinet Company, of North Vernon, Indiana. They have offices in many parts of the country. Their New York office is at 1531 Broadway.

The address of Electrical Research Products, Inc., the selling organization for Western Electric, is at 250 West 57th Street, New York City. They, too, sell a non-synchronous instrument. The prices of it were printed in the second article about talking pictures on August 25.

FORCING SALE OF SHORT SUBJECTS AN UNFAIR TRADE PRACTICE

My attention has been called to the fact that some film salesmen, in order to force a sale of their short subjects, refuse to take a contract for features. In the Trade Practice Conference rules, under the heading, "AGREED STATEMENT OF POLICY PROPOSED BY PRODUCER-DISTRIBUTORS AND ACCEPTED BY EXHIBITORS," the following agreement was made: "6. News reels and short subjects will not be included in any block with features, and the lease of news reels or short subject blocks shall not be required as a condition of being permitted to lease feature blocks or vice versa."

If those of exhibitors that are being forced to accept short subjects in order to get features will report the matter to this office, I shall make an effort to get justice for them; and if I cannot, I shall print the producer-distributors refusal in HARRISON'S REPORTS so that the trade may know that that particular leopard has not changed its spots.

LOOK OUT!

Companies offering to furnish you with cue sheets are bound to spring up soon. These will no doubt ask you to sign a contract with them, at a determined rental per week.

As my desire is to protect you from fly-by-night concerns, I wish to caution you not to sign any contract with any company before making a thorough investigation. Refer all communications from such concerns to this office. After receiving them, I shall write to the particular concern asking it to furnish me with bank and other reliable references as to their standing, and information as to what has been the experience of the musician whom they engaged to prepare the cue sheets. Any one can take the cue sheets prepared by the producers and reprint them, and then offer them to you for sale at high prices. But that would not be service; what you want is cue sheets prepared by a musician that knows how to arrange music with records.

POOR BUSINESS NO EXCUSE FOR CANCELLING A CONTRACT

It has been repeatedly stated in these columns that closing a theatre because of poor business does not relieve an exhibitor from a contract. The causes that relieve him from it are enumerated in Clause 18. And poor business is not one of them.

Why not buy pictures only for the good season, leaving the summer months open? Business gets poor chiefly during the summer, and when your dates are open during that time you may close your theatre down until August and you will have no headaches thinking how you could get rid of the pictures you have under contract.

Another suggestion I have made in these columns often is that those of exhibitors that have their theatres in small towns should close down for the summer. It is better for their business, for it gives them a chance to renovate their theatre, to go fishing, and to let their customers get a rest, so that they may become hungry for pictures.

Those who find it a good policy to close down in the summer should make up their plans now.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States	\$10.00
U. S. Insular Possessions	12.00
Canada and Mexico	12.00
England and New Zealand	14.50
Other Foreign Countries	16.50
25c. a copy	

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, NOVEMBER 10, 1928

No. 45

An Analysis of the Reformed Exhibition Contract

Since last May I have had occasions to criticize the reformed Standard Contract, declaring it worse than the contract that was in effect previously. This week I am presenting you with a detailed analysis of it, showing just where it is wrong, and suggesting improvements.

The improvements that I suggest are only fair; but I doubt whether the producer-distributors will accept them, for their one purpose so far has been to pretend that they are giving you concessions when in truth what they have been doing is to take away with the one hand more than they have been giving you with the other. And they have been able to accomplish this by political manipulation.

In the article "The Mysterious Meeting of the Contract Committee," I asked Mr. Hays, in the interest of justice and fair play, why the meeting of the Contract Committee was held secretly and certain other questions. Mr. Hays did not reply to them. Instead, Mr. Nathan Yamins, one of the exhibitor-members of the Contract Committee, wrote me a three-page letter criticizing me for having criticized the secret meeting of the Committee, and giving me a history of the events that led up to that meeting. In one paragraph, Mr. Yamins says:

"The Contract Committee as appointed at the Federal Trade Conference met in Chicago in February. At the same time there gathered at the Congress Hotel exhibitors from every section of the country apparently to watch and instruct the exhibitor group. I personally made a report to this group and recommended that the exhibitor members be instructed to adopt the 'unit rule' in voting, and this was carried.

"Subsequently when a division of opinion occurred among the exhibitor members an interpretation of the meaning of the 'unit rule' was sought, and the exhibitor group was of the opinion that it meant that the vote of the exhibitor group would be what the majority voted. This decision was arrived at without even consulting the distributor members, although I must confess that when I made the recommendation I had in mind that in order to vote at all, our group had to be unanimous. Unfortunately, the wrong word was used, and thereafter the exhibitor group voted in accordance with the 'unit rule.'"

Notice that Mr. Yamins acknowledges that, as a result of the use of the wrong word, the exhibitor-members of the contract committee, instead of being unanimous on every question, were compelled to act as a unit as a result of some interpretation by an exhibitor body that was manipulated into a position where it had to give the interpretation the producer-distributors wanted them to give. Mr. Yamins is, I am sure, aware of the fact, or he ought to have been, that C. C. Peettijohn, before the exhibitor-delegates left for the Trade Practice Conference, received telegrams from C. C. Pettijohn asking them to register at the Hotel Roosevelt. Some of them ignored that telegram; others paid attention to it, with the result that they were propagandized to accept the views of the producer-distributors and of the affiliated exhibitors, whose interests are never in harmony with the interests of the independent exhibitors. At Chicago, more politics were played, as Mr. Yamins very well knows. And yet, when he saw himself outnumbered and outvoted, he did not protest demanding that the exhibitor-members vote unanimously on every point; or better yet, he did not resign as he ought to have done in order better to protect the interests of the inde-

pendent exhibitors, who had so much faith in him. A resignation tendered by him at that time would have created a sensation, and would have compelled the Federal Trade Commission to take cognizance of the moves made by the Hays organization to thwart the spirit of the Trade Practice Conference.

And yet we cannot condemn Mr. Yamins, for at the time of the meeting of the Contract Committee in Chicago some of his theatres burned down, as a result of a calamity that befell Fall River, making it necessary for him to leave the meetings for home. The truth of the matter is, however, that no matter what happened to him at that time, you have a worse contract now than you had before!

Do you want the fact about it?

Here they are!

* * *

First Clause: The original intention was to make it unnecessary for the exhibitor to read the standard clauses by having their numbers printed in this clause, and to make it easy for him to concentrate his attention on the added clauses and on the stamped provisions. But as this clause now stands, there is no warranty in it that there are no provisions other than those contained in the contract that have been approved by the exhibitor-Hays committee, (a copy of which contract now rests in the archives of the Federal Trade Commission), except those specifically designated as being additional clauses. In other words, the first clause should print the numbers of the standard clauses, with a statement that they are identical with those that have been approved; and print also the numbers of the additional clauses. While it is true that arbitrators that know their business will never give a favorable verdict to an exchange that has inserted clauses that have not been approved by the contract committee, yet when one knows how much ignorance exists among the exhibitor-arbitrators in some zones, nothing should be left undone to make the contract clear. The exchange-men-arbitrators in these zones interpret the clauses to suit themselves and the exhibitors have no knowledge by which they could give the right explanation to them. If the producers mean to be honest with the exhibitors and do not want to hoodwink them, they should remedy this defect; it does them no harm, and will help prevent unnecessary controversies with the resultant hard feelings.

Second Clause (a): This clause defines the life of the contract as one year from the play-date specified in it, or from the play-date set in accordance with the terms of Clause Nine. According to precedent established in almost every film zone, when the contract is for only one picture, without any play-date, the life of such contract ends twelve months after the date on which it was signed (not on the date it was approved). Yet considerable confusion exists in the minds of the arbitrators, both exhibitors and distributors, in some zones. So it would be well if the clause made the matter clear.

Second Clause (b): This part of the clause gives the exhibitor the right to require delivery on all pictures not delivered during the life of the contract upon giving notice within 30 days. The exhibitor is thereby required to decide whether he will take a number of plays which they may never produce, and of which he knows nothing about. Inasmuch as the

(Continued on last page)

"Companionate Marriage" with Betty Bronson, Alec B. Francis and Richard Walling

(First National, Oct. 21; 6,132 ft.; 71 to 87 min.)

Pretty good. There is human interest all the way through, Miss Bronson awakening most of it. The story is, in fact, an education as to what really companionate marriage is, and not what the popular idea of it is. Yet the thought is conveyed not altogether in the form of a preachment. The action revolves around two families, the one rich and the other poor. The heroine belongs to the poor family, and the young hero to the rich family. The heroine is secretary to the hero's father. The hero falls in love with her. She, too, loves him, but because she has seen enough misery in her own family on account of the fact that her father had deserted her mother, once, letting her with many mouths to feed by slaving, she is unwilling to marry. Besides, she believed that the old-style marriage where young folk are tied for life before they have a chance to learn the duties of parenthood was all wrong, and she wanted a companionate marriage, a marriage that kept the young couple apart until they learned what they ought to know. The hero's sister falls in bad company. She marries a good for nothing young man and she is deserted by him in a few days. She tries to commit suicide; driving her car at high speed, she crashes through the railing of a bridge and falls into the river. Her body is dragged out and despite medical attention she dies. The young hero tries to find his father but is unsuccessful, until the heroine gives him his address. He rushes and finds him in the home of his mistress. The shock of finding out that his father and his mother were not the happy couple he had thought they were is too much for him, and he turns against marriage. Eventually however, a judge friend of both hero and heroine induces them to tie themselves by a companionate marriage, until both learned the duties of parenthood.

There is some comedy, too, here and there, offering relief, even though the theme is not of the too heavy sort. Judge Ben B. Lindsey and Wainwright Evans wrote the story. Erle C. Kenton directed it well. Wm. J. Welsh, Edward Martindel, Hedda Hopper, Arthur Ranking and others are in the cast.

It seems to be chiefly a woman's picture. But it should offer a satisfactory entertainment also to men.

"Ned McCobb's Daughter" with Irene Rich, and Robert Armstrong

(Pathe, Dec. 2; 6,070 ft.; 70 to 86 min.)

It is hard to understand what prompted the producers to put this play into a picture. The play was good, but the picture is demoralizing. Most of the action represents the dark side of life, and almost every bit of it is demoralizing. For example, the heroine, a fine woman, as she is represented in the story, is forced, in order to feed her children, to become an accomplice of a bootlegger brother-in-law of hers. Her husband is good for nothing. The brother-in-law makes love to her. After the heroine is forced to become a partner of the bootlegger, her husband strikes a revenue officer on the head with a club and kills him, because the officer had discovered the place where the liquor was hidden. The scenes that show the body hidden in the pile of apples is gruesome to the point of being sickening. The discovery of the blood on the floor, too, is a gruesome sight. The only situation that is worth-while mentioning as offering some entertainment is where the hero and the heroine, who had been informed that the revenue officers were guarding the bridge over which the heroine's husband was to cross with a load of whisky, mount another truck and chase him in an effort to overtake him. The husband, a coward, in order to mislead the revenue officers, had taken his two children along ostensibly on a ride. The scenes that show the two trucks side by side running at top speed and the children jumping from one truck to the other are suspenseful. The scene that shows the heroine's worthless husband speeding over the bridge and falling into the water, drowning as a result, are thrilling.

The story ends with the marriage of hero and heroine after the removal of the obstacle, the worthless husband.

The plot has been founded on Sidney Howard's play. William J. Cowen directed the picture. Theodore Roberts, George Barraud, Edward Hearn, Louis Natheaux and others are in the cast.

"Melody of Love" with Mildred Harris, Walter Pigeon and Jane Winton

(Univ.; release date not yet set; 6,700 ft.; 78 to 97 min.)

Universal's first all-talking picture is nothing to brag about either in story quality or acting. The whole thing is so stilted and ancient that it does not hold the interest and is even boring, the action being slowed up too much on account of the dialogue which is so simple. All voices sound alike, and are not distinguishable to any extent.

The story revolves around a song writer who left his sweetheart in America to go overseas during the World War. He meets a French girl (heroine) when he is playing the piano in a cafe; she becomes infatuated with him. When his arm is paralyzed after being shot, he finds that he can use only one arm and he realizes that his future is shattered. When he returns to America and learns that his former sweetheart no longer cared for him, too proud to look up his war buddies, he becomes a tramp, wandering finally to the bowery where he hears the familiar voice of the heroine, singing his favorite song. He wanders into the dancehall and sits at the piano, attempting to play, when all of a sudden his stiff hand becomes well and he able to play. They sing a duet and pledge their love.

Mildred Harris and Jane Winton are the girls in the case, the former being the French girl and the latter being the girl who jilted her sweetheart. Walter Pidgeon is likeable as the hero and his bass voice is very good. Tom Dugan is the most natural. As the hero's buddy overseas and the owner of a gambling den and dancehall in the bowery, he contributes a great deal of the comedy, somewhat of a slapstick nature. Others in the cast are Jack Richardson as the hero's former employer, the man who won his fiancée, after the hero had gone to war, and Victor Potel, an old-timer, as a better gambler than Dugan. The picture was directed by A. B. Heath from a story by Robert Arch.

Note: The tone quality is "frightful," chiefly because the raw stock was poor. The white flashes, due to the imperfection of the emulsion, are so bad that the sound is full of "static," or a sort of crashes. It is also apparent that the sound-proofing of the studio was inadequate. The scenes on board the battleship where the hero and the other sailors are seen singing is so bad that it is annoying. The reverberations caused by the hard surface of the steel plates, almost the greatest sound-reflecting medium known, is very bad. A few more pictures like this one and the picture-goers are sure to run away from theatres that show talking pictures.

"The Woman from Moscow" with Pola Negri

(Paramount, Nov. 3; 6,938 ft.; 80 to 99 min.)

Not much to it. In fact, it tiresome, for the reason that the heroine does nothing to arouse one's sympathy. The first part unfolds in Russia, and shows the terror the aristocrats felt for Nihilists. The cousin of the heroine, a Princess, is murdered and the Russian secret service learns that the hero had committed the murder. But he was beyond each, for he had fled to Paris. The heroine decides to go to Paris and to get the evidence that would prove his guilt. She meets him and they become acquainted. The heroine falls in love with him. An expression uttered by the hero condemning all Nihilists brings joy to the heroine, who thus convinces herself that he is not a Nihilist, and therefore not the murderer of her cousin. But when she accepts his marriage proposal and asks him to go to Russia with her, he tells her he cannot go. He then reveals to her that he had killed her cousin, because he had wronged his sister and had refused to marry her afterwards. The hero realizes that she had been shadowing him, and takes it for granted that her professions of love for him were sham. He leaves her. The heroine, however, had learned to love him so passionately that life no longer held any charms for her. So she takes poison. The hero, after cooling down, returns to her. But too late; she dies in his arms.

The plot has been founded on Victorien Sardou's "Fedora." It was directed by Ludwig Berger. The direction is good. Norman Kerry is the hero. Paul Lukas, Otto Matiesen, Lawrence Gray, and others are in the cast.

"The Wind" with Dorothy Gish and Lars Hansen

(Metro-Goldwyn, Sept. 27; 6,721 ft.; 78 to 96 min.)

With all the sound of wind, created mechanically, and supposed to represent a powerful sand storm, and with all the barking of a dog, "heard and seen," "The Wind" is not a good picture. Sand, sand, sand everywhere, driven by a windstorm, occupies nine-tenths of the picture, which, when it ends, leaves you a nervous wreck. If you should happen to see it you would wish never to see a sandstorm again, either in pictures or in life; you have had enough at one sitting to last you a lifetime.

As to the story, it is hardly likely that it will please other than those that attend the little theatres, "nuts" and "crackaloes." It is the story of a poor girl from Virginia, that is thrust into a desert region where the wind is howling daily, and where those that are not accustomed to it are driven mad by it. She visits her cousin. But her cousin's wife is jealous of her, because she thinks that she loves her husband. So she forces her to marry one of the two uncouth persons that wanted her as a wife; she had to marry one of them because she did not have another living person in this world to go to, and she was penniless. The villain, a married man who had once met her accidentally and fallen in love with her, is found unconscious during a sand storm and brought by her husband to their home. When he recovers he is asked to help in a round-up of wild horses. He comes back secretly and tries to induce the heroine to follow him and thus get a chance to get away from the country that was cursed with sand storms. She tells him to go away and to leave her alone, threatening to shoot him. He does not take her seriously. She shoots and kills him. She drags him out and buries him in the sand, but the wind uncovers him. Her husband returns and she, half-mad, tells him that she had shot and killed the villain. She points out to the place where she had buried him. The husband looks at the spot but sees nothing; the wind had covered up the body just as it had uncovered it. He thinks that the monotony of the sand storm had affected her brain. He wants to send her away but she tells him that she did not want to go, because she learned to love him.

In addition to being irritating to the nerves, "The Wind" is also gruesome. Its plot has been founded on Dorothy Scarborough's novel. It was directed by Victor Seastrom. Montague Love, Dorothy Cummings, Edward Earle, and William Orlamond are in the cast.

"Do Your Duty" with Charlie Murray

(First National, Oct. 14; 6,000 ft.; 58 to 85 min.)

A nice enough little comedy-drama of the double bill program grade. The story revolves around a police sergeant who, after he is made lieutenant, is demoted because he is found supposedly drunk by his superior officers, when he had been knocked unconscious by crooks that had decoyed him from the scene of a bank robbery. It has pathos, too, as well as plenty of humor. And while the first part is rather dull, merely being a lot of so-called funny situations showing Charlie Murray (hero) as a dutiful father of a pair of mischievous sons and an attractive daughter who is engaged to the son of the captain, and trying to study in order that he might pass his examinations, the last half is quite entertaining.

Charlie Murray gives his usual good performance as the father who had become demoted through no fault of his own and who won the chance to regain his lieutenantcy when he captures the band of crooks through the help of his Scotch friend, a tailor, who accidentally learned of the job to be pulled.

Doris Dawson is sweet and Charles Delaney, her fiance, is likeable. Others in the cast are Aggie Herring as the mother of the family and George Pierce as the police captain. The picture was directed by William Beaudine. Julian Josephson wrote the story. Lucien Littlefield is good.

"Dry Martini" with Mary Astor, Matt Moore, Albert Gran and others

(Fox, Oct. 7; 6,828 ft.; 79 to 97 min.)

Tiresome! It is a story of the "escapades" of a wealthy old rue among women, in Paris, and his constant "sprees." They might have interested the average picture-goer if these escapades had concerned some young

man; but who can become interested when they concern an old fat man? The picture is supposed to be a high-class comedy, but, although from the direction point of view it is faultless, the story is so weak that no one can keep himself from yawning. It is pretty "broad," too, and the kind that might prompt children to ask questions they shouldn't ask. The constant drinking of the characters in it particularly of the fat hero, who prefers always a Dry Martini, at times stronger than at other times, is not very edifying, and not helpful to the picture theatres.

The story revolves around a wealthy man, spending his money in Paris on wine and women, away from his divorced wife in America. His grown-up daughter eventually decides to visit him in Paris. He tries to put up a respectable-looking appearance, but the daughter seems not to mind a little drinking and smoking herself. She has modern ideas about life. This leads her to a near-tragedy, when a "lady-killer" induces her to go to a lonely home of his. When she sees the maid fixing up the bed and putting on it pajamas for both her and her "beloved" it dawns on her what was in store for her. She tries to escape but finds herself locked in the room. But her father, who had found out that she had followed the "lady-killer," in company with the hero, a young American who loved her, rushes to her rescue.

The plot has been founded on the novel by John Thomas. Jocelyn Lee, Sally Eilers, Albert Conti, Tom Ricketts and others are in the cast.

"The Crash" with Milton Sills

(First National, Oct. 7; 72 to 88 min.)

Not much to it. The action is so slow up to within the last thousand feet that it bores one. There is hardly much human interest in it. The hero does not awaken much sympathy for the reason that he is so small-minded that he turns his wife out of the house, because he thought that she had had intimate relations with another man, the truth of the matter being that the other man had tried to force his attentions on her. In the last reel the action becomes pretty lively. In that part, there is a railroad wreck, in which the heroine with her baby runs the risk of being burned alive.

The story opens in a small town, and shows how the hero, a railroad man, had met the heroine, a chorus girl, belonging to a travelling troupe, and fallen in love with her, marrying her eventually. The manager of the troupe was "stuck" on her and was doing everything to take her away from the hero and from the "hick" town she lived in. The hero threatens him with dire consequences if he did not leave his wife alone. He goes away but several months later returns and forces his way into the heroine's house while the hero is absent. The hero returns unexpectedly and finding the heroine in what he thought a compromising situation evicts her, ordering her to follow her "lover." The heroine goes away. The hero's chum corresponds with the heroine, hoping eventually to bring about reconciliation between her and the hero. The heroine has a child. The hero's chum sends for her and arranges the hero accidentally to come upon her. The hero by this time had realized what a noble woman the heroine was and what a worthless fellow he was. This makes him refuse to let the heroine come back to him. The heroine sorrowfully goes away. The train is wrecked because of a landslide. When the hero hears of it he begs his former employer to give him a chance to rescue the passengers. He is given the chance and saves the heroine. For the first time he learns that he is a father. He begs the heroine to forgive him.

The only part where there is deep human interest is where the heroine and her baby meet the hero and he refuses to take her back.

Thelma Todd is the heroine. Wade Boteler the hero's chum. Wm. Demarest, Fred Warren, Sylvia Ashton, and DeWitt Jennings are in the cast. The plot has been founded on the story by Frank L. Packard. It was directed by Edward Cline.

UNBELIEVABLE BUT TRUE!

Mr. E. Fitzgerald, of Windsor Theatre, Grenfell, Saskatchewan, Canada, in sending his check in payment of his subscription, wrote as follows:

"Great value so far. Almost too good to be true as to keeping it up."

distributor knows months before the expiration of the contract whether he is going to make them or not, he should be required to inform the exhibitor of it at least sixty days before the expiration of the contract; or the exhibitor should be given the right to accept or reject these pictures within ten days after notice of availability is sent to him. Thus the burden should be made to rest, as it should, on the shoulders of the producer-distributor, and not on those of the exhibitor. As said before, the exhibitor hasn't the facilities of sending letters—at least not as many facilities as the distributor. To the exhibitor, writing a letter is an effort—it is a day's work; whereas it is a relaxation to the distributor, who has but to dictate it. Besides, unless the distributor is made to send the notice of non-production of a picture at least sixty days before the life of the exhibitor's contract expires, a chance for fraud is given to the producer-distributor. If he should make the picture towards the expiring days of the bulk of his contracts, if the picture should turn out to be excellent, the distributor could hold the picture back and take a chance with the exhibitors' forgetting to send their notices of either acceptance or cancellation.

Similarly the clause that relieves the distributor from the obligation of delivering pictures not released within two years should be eliminated, giving the exhibitor the right to accept or reject such pictures at any time. Since the distributor does not guarantee production or delivery of contracted pictures, the exhibitor should at least have the right to require delivery if the picture should be produced.

Sixth Clause: This clause guarantees the exhibitor his "protection" or "run," but it does not provide with penalty in case the distributor violated it. The damages are always uncertain and difficult of computation. I know of a case upstate (New York) where a distributor violated the protection of an exhibitor, who paid \$750 for the picture, and the exchange-men-arbitrators, although they acknowledged the breach of the contract, offered to award the exhibitor one dollar damages. The exhibitors, of course, deadlocked the board, and the seventh arbitrator awarded fair damages to the exhibitor. There should be a provision in it to penalize the distributor three times the amount of the rental.

This clause provides also that the protection period shall run from the last day of the exhibition of the previous run. Suppose that you play the pictures, say, fifteen days after the first-run exhibitor, and a particular picture turned out to be so good that the first-run exhibitor keeps running it three or four weeks. You have no way to force the exchange to deliver that picture to you until after the first-run exhibitor milked your locality dry. The protection should be computed from the first day of the run.

EDITOR'S NOTE: While the provisions of zone protection are not unsatisfactory, you should be careful to define the area of the protection by geographical limits instead of by theatres so as to avoid the possibility of confusion. State, for example, "The East side of ——— Street," or "The North," or "The South," as the case may be; do not mention only the name of the street, for an award may be decided against you if a theatre should happen to be located on the opposite side of the street, away from your theatre, by making it possible for the distributor to assert that that theatre is not included in the boundary of your zone. Such a thing has happened in this city.

Seventh Clause: This seems to be a satisfactory clause, but exhibitors should be warned that in order for them to take advantage of its provisions they should (1) use the same carrier as is used by the exchange, and (2) to be sure to get a receipt so that in case the print is lost while being returned to the exchange they may comply with the provisions of the contract. Those that ship film by parcel post should request for the green tags, which can be obtained for one cent. Instructions will be given them by the postmasters as to how to use them. They may obtain also a receipt by insuring the parcel for the minimum insurance fee, which is five cents.

Eighth Clause: This clause provides for the manner whereby pictures may be play-dated. The last sentence of paragraph (1) reads as follows: "Such notice

[the play-date availability notice] shall be of no effect unless prints of such photoplay are in the exchange of the Distributor from which the exhibitor is served." The first paragraph of the 18th Clause has a prize joker in the expression "delays in production." A new joker has now been added. It is acts such as these that make one doubt the sincerity of the producers. When they sell you pictures of certain run they certainly know whether they will have prints in the exchange or not. By telling you, then, "We shall deliver the pictures we sell you provided we have prints in the exchange" is insincere and even fraudulent. Why are they not honest about it and frame the clause to read something like: "We sell you these pictures but we reserve the right to let you have them whenever we please?" It would mean the same thing and would tell what they really have in their mind. This reservation should be eliminated.

There is another thing that is wrong with this clause; it does not provide when the distributor shall mail the notice of availability. There have been arguments on both sides in this question but it is doubtful if any hard and fast rule can be imposed on the distributors. The only fair way would be to let the arbitration board determine when a "reasonable time" has elapsed after a picture has been delivered to the exchange so that the exchange may be compelled to give the exhibitor a play-date availability notice. If the producer-distributors should think that arbitration is a fine medium to settle disputes with, they should not object to submitting this question to arbitration.

Another provision that this clause should contain is the compelling of the exchange to give notice of availability simultaneously to all exhibitors that have bought equal-run pictures. This will make it impossible for the exchange to favor one second-run exhibitor over another.

Tenth Clause: This is a substitution clause, which has been put into the contract as a result of the Trade Practice Conference last year. It is clear and protects the exhibitor, except in case where the distributor sells a picture merely by title and gives no other descriptive matter. It has been the practice of some distributors to sell mere titles, and when they produced the pictures and these turned out to be good withheld them and delivered something else in their places. The exhibitor should be protected against such fraud by providing that where the picture is sold by title, that title is the whole thing; and that any change of it to be considered a change is the story.

Twelfth Clause: Paragraph (2) of this clause obligates the exhibitor to buy all advertising accessories from or through the distributor. In view of the fact that the producers combined to write this contract, this provision is of doubtful legality. Remember that a distributor has the right to impose any conditions in the sale of his product when such conditions do not break the laws of the land; but when two or more producers combine to impose the same conditions on the buyer, then the matter differs. The Sherman Anti-Trust Law may say that they cannot do it without conspiring in restraint of trade. I doubt if the producers would dare enforce this provision.

Sixteenth Clause: The first paragraph of this clause deals with the case in which an exhibitor is prevented from performing the contract. The present provision is that the time of the contract shall be extended unless the delay is of more than three months' duration. But in case the exhibitor has no picture booked beforehand for the time of the delay, he is not relieved of any part of the contract. There should be a provision to entitle the exhibitor to a pro rata reduction in the number of pictures which he is required to accept.

The second paragraph of this clause deals with distribution delays. The old contract provided that if the delay was of more than three months' duration either party might cancel. This was found subject to abuse by the distributors, who might purposely delay a picture in order to cancel contracts. Since the distributor is not obligated to produce and must deliver only if he produces, the exhibitor should be given the exclusive option to cancel in case of a delay of more than three months beyond the life of the contract.

Eighteenth Clause: This clause refers to arbitration and it will be discussed in a forthcoming article.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions.....	12.00
Canada and Mexico.....	12.00
England and New Zealand.....	14.50
Other Foreign Countries.....	16.50
25c. a Copy	

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, NOVEMBER 17, 1928

No. 46

The Attitude of the Exchanges on Substitutions

My desk has been swamped lately with letters from exhibitors that have been hailed before arbitration boards for refusing to accept substitute pictures, asking my advice as to what they should do to avoid playing these pictures.

What the rights of exhibitors in substitution questions are, and how an exhibitor should proceed in case the exchanges insisted that the pictures in question are not substitutes, in spite of the fact that the facts speak differently, was covered so fully in the issues of Harrison's Reports of June 16, June 23 and July 21, and anything that may be added to it will be merely a repetition.

The excuses offered by the exchanges are the same now as they have been at other times, that a provision in the Work Sheets or in the Annual Announcement Books gives them the right to change title and cast.

This excuse is hypocritical, for no exhibitor has denied them the right to do that in the 1927-28 contracts; what they deny them is the right to change the story and the star. Such right they do not possess, either by what is said in that provision or by what is contained in the contract. Besides, a ruling accepted by the entire industry at the Trade Practice Conference, as explained last week, makes things clear in this matter; no exchange can force an exhibitor to accept and pay for something he did not buy. To do so would be committing an unfair trade practice. And that is exactly what the exchanges, particularly the Fox exchanges, are trying to do—force exhibitors to accept something they did not contract for.

Let us now give a resume of the substitutions of all the producer-distributors, detailed analyses of which were printed in the issues of June 16, 23, 30, and August 11:

Columbia

STORY SUBSTITUTION: "By Whose Hand?" "The College Hero," "Stage Kisses," "The Opening Night," "The Warning," "So This Is Love," "A Woman's Way," "The Sporting Age," "The Desert Bride," "Broadway Daddies," "Golf Widows," "Modern Mothers," "The Way of the Strong," "Beware of Blondes," "Say It With Sables," and "Virgin Lips."

STORY AND STAR SUBSTITUTION: "The Tigris" and "Lady Raffles."

None of these pictures have been founded on the stories promised and therefore you are not obligated to accept any of them.

STAR SUBSTITUTION: "The Siren." You are not obligated to accept this picture, for the reason that it was promised with Priscilla Dean and is being delivered with Dorothy Revier. And a star is not "cast," as the provision in question states. If it were, it would be possible for the distributors to sell you a picture with Mary Pickford, or Clara Bow, or Norma Shearer, and deliver a picture with some fifty-dollar-a-week extra.

Fox

STORY SUBSTITUTION: "Gateway to the Moon," "Sharpshooters," and "A Girl in Every Port."

THEME SUBSTITUTION: "Chicken a la King."

STAR SUBSTITUTION: "Pajamas," "Dressed to Kill," "The Escape," and "Hangman's House."

STORY AND STAR SUBSTITUTION: "Love Hungry," "The News Parade," "Roadhouse," and "None but the Brave."

STORY, STAR, AND DIRECTOR SUBSTITUTION: "Honor Bound" and "The Farmer's Daughter."

STORY AND DIRECTOR SUBSTITUTION: "Square Crooks."

You are not obligated to accept any of these, because they are not the pictures you bought originally.

The following pictures may be arbitrated: "High School Hero," because it was promised with Sally Phipps and Richard Walling, and is being delivered with Nick Stuart; "Ladies Must Dress," because it was promised with James Tingle and Mary Duncan, and it is being delivered with Virginia Valli and Lawrence Gray; and "No Other Woman," because it was promised with Frank Borzage as the director and is being delivered with Lou Tellegen. The question that will be decided by the arbitration board will be, in the case of "High School Hero," whether Richard Walling with Sally Phipps have greater box office value than Nick Stuart; in the case of "Ladies Must Dress," whether James Tingle and Mary Duncan have greater box office value than Virginia Valli and Lawrence Gray, and in the case of "No Other Woman," whether this picture is of a director series or not, and if it is whether it comes under the category of that provision in the Work Sheet and in the Announcement Book or not.

First National

STORY SUBSTITUTION: "Three's a Crowd," "The Whip Woman," "The Chaser," "Flying Romeos," "Chinatown Charlie," "The Yellow Lily," "The Head Man," and "Heart Trouble."

None of these are delivered as sold, and therefore you are not obligated to accept them if you don't want to.

Metro-Goldwyn-Mayer

STORY SUBSTITUTION: "London After Midnight," "Baby Mine," "The Big City," "The Smart Set," "The Patsy," "Across to Singapore," "Laugh, Clown, Laugh!" and "Diamond Handcuffs."

None of these has been founded on the story promised, and therefore are not obligated to accept any of them.

STAR SUBSTITUTION: "The Fair Co-Ed," "Under the Black Eagle," and "The Mysterious Lady."

You are not obligated to accept any of these because they are not delivered with the stars that were promised when you bought them.

NOT DELIVERED WHEN IT OUGHT TO: "A Certain Young Man." Those who bought it in their 1925-26 contracts are not obligated to accept it, because it is not being delivered within the life of those contracts, although it was produced within that life.

Pathe

STAR SUBSTITUTION: "Midnight Madness" and "The Leopard Lady."

You are not obligated to accept these pictures, because they are not being delivered with the stars that were originally promised.

Universal

STORY SUBSTITUTION: "Hot Heels," "A Hero For a Night," "The Count of Ten," and "Stop That Man."

You don't have to accept any of these if you don't want to, because they are not founded on the stories promised.

STAR SUBSTITUTION: "Midnight Rose." Whether Mary Philbin or Lya De Putti is a better box office attraction should determine your attitude in the matter. If you cannot convince the exchange of your views, then you may submit the dispute to arbitration.

(To be continued on last page)

"The Woman Disputed"(S) with Norma Talmadge

(United Artists, Oct. 20; 8,041 ft.; 93 to 114 min.)

The pivotal point of this drama is a "Mona Vana" situation. In "Mona Vana," the heroine is forced to surrender to a conqueror in order to save her people from a bloody massacre; in "The Woman Disputed," the heroine is compelled to surrender her honor to a Russian officer, one whom she once admired and who loved her with all his heart, so as to save four persons, one of them a spy of the Austrian Government, from death and to make it possible for the spy to cross the front lines, and to give to the Commander of the Austrian army information that would enable him to drive the Russians out of Austrian territory. With the exception of a few spots here and there, where the action is somewhat slow, the picture is a worth-while dramatic entertainment. There is suspense in most situations, and there are some tears. The tears occur mostly in the closing scenes, where the hero realizes what a mistake he had made to condemn the heroine in his mind for having surrendered her honor to the Russian officer, once a chum of his. This realization came about when he heard the Commander praise the heroine for her invaluable services to the fatherland. There are some scenes where the suspense is tense. The Austrian spy impersonates a Catholic priest. It is a question whether Catholics will relish this, no matter how delicately is the situation handled.

The picture has been founded on the stage play by Denison Clift. It was directed by Henry King and Sam Taylor. Norma Talmadge does excellent work; she does not seem to have lost her old acting ability. Gilbert Roland is very good as the hero, and the late Arnold Kent as the hero's chum, who turns into a villain. The locale is the Austrian city of Lemburg, and the time before and during the World War. Gladys Brockwell, Gustave von Seyffertitz, Michael Vavitch and Boris de Fas are in the cast.

It is not a Sunday School picture but it ought to give very good satisfaction to adults.

It is in sound.

"His Private Life"(S) with Adolphe Menjou

(Paramount, Nov. 17; 4,690 ft.; 54 to 67 min.)

An amusing high comedy, with bedroom farce situations in it. The comedy is of the sort that will appeal to the high-brows; it is doubtful if the picture-goers of the rank and file will appreciate it as well. Mr. Menjou is presented in his usual role, of a chaser of beautiful women. It is while in one of these pretty ankle chasing expeditions that he meets the heroine and eventually "lands" her. But his light ways about women land him also into trouble, when he accidentally finds himself in the same room with a former "flame." She throws her arms around him and everything seems to be going along well when the flame's husband appears. The hero then has to put a newspaper on the face of his old flame so as to prevent the husband from recognizing his wife. Just at that moment, however, the hero's fiancée appears and everything goes wrong again. The fiancée is peeved and decides to turn a cold shoulder to him. He tries to explain but she will not let him. He tries again, and again he fails. But after many trials he succeeds.

The plot has been founded on a story by Ernest Vajda, and Keene Thompson. Its locale is Paris. Frank Tuttle directed it. Pretty Katherine Carver is the heroine. Margaret Livingston is the old flame. Eugene Palette is the irate husband.

A good entertainment for high-class patronage.

It is in sound.

"The Good-Bye Kiss"(S) with a special cast

(First National, July 8; 7,989 ft.; 93 to 114 min.)

There are good points in it, but there are also some bad points. The bad points consist of the lack of fast action in most of the picture, starting from the beginning. The good points are the fairly strong thrills now and then, the comedy, and the suspense in several of the situations, particularly in a situation in the closing scenes, in which is the tensest suspense. This is caused by the fact that the young hero, a coward that had turned into a brave young man because of the efforts of the young heroine, who had inspired him, follows two German spies into the German lines, and prevents one of them, the one that had posed as an American officer, from connecting the electrical wires that would have blown up the Ameri-

can front line trenches, and with them all Americans found in them. The struggle lasts quite some time, and ends just at the time when two other Germans had set out to investigate the cause of the delay in the blowing up of the trenches. (But the hero had delayed the Germans long enough to give the Americans a chance to go over the top and to take the German trenches). While most of the comedy is good, some of it is misplaced. For example, one of the characters, chum of the hero, is shown in a farcial situation, running away from German bullets, and entering the dug-out where the American Commander of that division was holding a consultation with his staff. Instead of being frightened when the Commander reprimands him, he talks back to the Commander. This is bad in that the previous action is serious. It destroys the mood.

Mack Sennett wrote the story and directed it. Johnny Burke, Sally Eilers, Matty Kemp, Wheeler Oakman, Irvin Bacon, Lionel Belmore, Alma Bennett, Carmelita Geraghty, Eugene Palette, and others are in the cast.

It is in sound.

"Sinner's Parade"—with Victor Varconi and Dorothy Revier

(Columbia; Sept. 14; 5,616 ft.; 65 to 80 min.)

Only fair. The story at first is too mixed up to be entertaining. It jumps from one scene to another without having connection. It is an expose of the bootlegging traffic and also of the wreckless lives lived by young high school students. They are in reality attending questionable cabarets, drinking in the company of rounders instead of attending to their studies.

The story revolves around the dual life of the heroine (Miss Revier) who is a school teacher by day and a cabaret performer at night. Miss Revier is pleasing as the elderly sister who tries to hold two jobs in order that she might support her younger sister and her baby. Mr. Varconi (hero) is good enough as the cabaret owner who is in love with the heroine and who reforms for her sake after the cabaret is raided and she is arrested. John Patrick is fair as the son of the well-to-do clubwoman who has the club raided because she wanted to break the attachment between him and the heroine; he is in reality the bootlegger. Marjorie Bonner has lots of pep as the younger sister who preferred a good time.

The picture was directed by John G. Adolfi from David Lewis's story.

"The Air Legion"—with Ben Lyon, Antonio Moreno and Martha Sleeper

(FBO, Jan. 6, 1929; 6,351 ft.; 73 to 92 min.)

A pretty good drama. Its interest is centered mainly around the heroic pilots of the U.S. air mail service who fly in all kinds of weather, risking their lives in the performance of their cherished duty. None of the actors stand out particularly and the story would be very conventional were it not for the dangers the spectator realizes air-piloting is accompanied with.

The story revolves around a young stunt flyer, (hero) whose father was killed in the service, and joins his father's closest friend as airmail pilot. The mistress of the post-office (heroine) falls in love with the young hero but loses her interest in him when he shows a yellow streak by pretending to have been hit when he struck a hurricane whereas he was really afraid of the lightning. He is naturally the butt of contempt and so to prove that he is really not yellow, and encouraged by the heroine, who was still in love with him, he takes a plane into the teeth of a storm along with his friend so that they might bring aid to a town which was wiped out by a broken dam. When his pal's plane is downed because of a broken wing, the hero rescues him and brings the supplies and his pal back to his post. He proved to all that he had heroic stuff in him and so earned a permanent job in the service. Hero and heroine are united.

The scenes of the storms are rather thrilling, and as everyone admires the fine flying of the courageous mail flyers it will no doubt make this an entertaining program picture for the average audience.

The picture was directed by Bert Glennon from a story by James Ashmore Creelman. Ben Lyon is fair as the hero. Antonio Moreno is likeable as the pal who, too, was in love with the heroine but he encouraged the romance between the hero and heroine and helped to bring the hero out of his yellow streak and make a man of him. Miss Sleeper is adequate.

"Show People"(S) with Marion Davies and William Haines

(Metro-Goldwyn, Oct. 20; 7,453 ft.; 86 to 106 min.)

This is a satire on Hollywood. And a good one. While there are moments when the action slows up some, there is so much comedy in it that these flitting weaknesses should be overlooked by the picture-goers. The story is simple and not original; it shows the heroine and her father driving from Georgia to Hollywood so that the heroine might get a chance to become a movie actress. But it is in the development that gets its chance at fun making. The comedy is mostly of the slapstick variety, the action showing Miss Davies getting a chance at the movies by acting in short comedies, where pies and other things were thrown by the actors at one another. Charlie Chaplin, Douglas Fairbanks, John Gilbert, Lew Cody, Aileen Pringle, Karl Dane, George G. Arthur and others appear as extras in a few short scenes. In the scene where Mr. Chaplin appears he is shown as having been impressed so much by the acting of Peggy Pepper (Peggy Pepper as Marion Davies is called), that he asks her for her autograph. Peggy condescends and learns the identity of the autograph collector after he had entered his expensive car. This makes Miss Pepper nearly faint.

In the development of the plot, William Haines, (the hero) who had helped Peggy (the heroine) get a chance at the movies, is shown as having fallen in love with her. She, too, loved him. But when she became famous she felt that she should make new friends. And so she forgot the hero. She aspired to marry a star (villain). Just as the wedding ceremony was to be performed the hero entered the heroine's boudoir and, after some effort, made her see the folly of her step. She decided not to marry the villain and to go back to the hero.

The plot has been founded on an original story by Agnes Christine Johnstone and Lawrence Stallings: it has been directed by King Vidor. Miss Davies does very good work. William Haines is not the egotist he has been in other pictures; he acts with restraint, and arouses and retains the spectator's sympathy all the way to the end. Polly Moran, as the heroine's maid, causes some laughs.

It is in sound.

FACTS ABOUT TALKING PICTURES AND INSTRUMENTS—No. 8

The subject of interchangeability is still in the unresolved problem class, as far as the manufacturer of instruments is concerned. I am referring to the Western Electric Company, which has refrained so far from making its attitude known clearly; RCA Photophone, Inc., has already said that they do not object to seeing films made by processes other than their own shown on a Photophone instrument, and films made by their own process shown on any other instrument, provided the tone quality is reasonably good in the opinion of any fair-minded person.

In order to learn the attitude of the producers, I have addressed the following letter to Mr. Quigley, of the Vitaphone Corporation:

"Mr. G. E. Quigley,
Warner Bros. Pictures Corp.,
New York City.

"Dear Mr. Quigley:

"In conversing with you over the telephone yesterday, you stated to me that in case a talking picture should give as good a tone quality as is given by the Western Electric talking picture instrument, you would have no objection to leasing your talking pictures to an exhibitor having such an instrument.

"Will you be kind enough to verify this in writing so that there might be no misunderstanding?

"Sincerely yours,"

The following is the reply that I received:

"Mr. P. S. Harrison,
1440 Broadway,
New York City.

"Dear Mr. Harrison:

"Receipt is acknowledged of your letter of November 2, 1928 with regard to this Company and Warner Bros. Pictures, Inc. serving exhibitors who have installed other than Western Electric equipment with our product.

"The statement made in your letter is substantially correct, but it may perhaps better be restated as follows:"

"The Vitaphone Corporation and Warner Bros. Pictures, Inc. will furnish their product to exhibitors who have installed other machines for reproduction than the Western Electric Sound Projector System, provided that such machines as installed in the given theatres are adequate satisfactorily to reproduce our product with amplification and quality of reproduction equal to that obtained by the use of the Western Electric machine and provided, further, that necessary licenses in respect of public performance have been obtained from copyright proprietors for reproduction in such theatres and with such machines.

"Very truly yours,

"G. E. Quigley

"Vice President & General Manager."

The following is a second letter that I sent to Mr. Quigley:

"November 7, 1928.

"Mr. G. E. Quigley,
The Vitaphone Corp.,
New York City.

"Dear Mr. Quigley:

"I thank you for your letter of November 5th which was in answer to my letter of November 2nd.

"There is one other question that I should like to ask you so that I may have the full information for the benefit of the subscribers of Harrison's Reports."

"Who is to determine whether the instrument used by an exhibitor gives as good tone quality as a Western Electric instrument or not?

"I shall appreciate greatly the courtesy of a reply from you at your earliest convenience because I intend to deal with this matter in the next issue of Harrison's Reports."

"Sincerely yours,

P. S. Harrison."

In reply to this I received the following letter:

"November 9th, 1928.

"Mr. P. S. Harrison,
1440 Broadway,
New York City.

"Dear Mr. Harrison:

"I have your letter of November 7th wherein you inquire who is to determine whether a given instrument used by an exhibitor gives as good tone quality as the Western Electric equipment.

"We assume, inasmuch as until the equipment is tested no verdict can be given of the test that involves the furnishing of product, the producer, in the first instance, will have to make a decision as to quality. The decision so made, however, would not be conclusive and would be open to question later by the Western Electric Company in the event that it should consider the reproduction on a given machine was not of satisfactory quality. Conceivably and in the event of dispute as between the producer and its licensor on this point, it might be necessary to refer the matter to arbitration for decision.

"Very truly yours,

"G. E. Quigley,

"Vice-President and General Manager."

This correspondence clears, I believe, the subject of interchangeability so far as Warner Bros. is concerned.

You may be interested to know that, according to reliable information, the other big producer-distributors have instructed their sales forces to sell their talking and sound pictures to any exhibitor, regardless of the kind of instrument he has installed. I shall try to get them to commit themselves on paper if possible. But whether they so commit themselves or not, the subject of interchangeability is, as I said before, a problem of the producers and not of the exhibitors. At this time, however, I desire to warn those that contemplate installing an instrument that for them to invest money on an instrument that can use only discs will be, in my opinion, unwise, for they will not be able to show films that have recorded the sound on the film.

Another thing that I desire to say is that I am investigating more non-synchronous instruments. So those that want to have more information about such instruments and prices, and about cue sheets and prices of records had better wait until I print the information. It is possible that some brand of instrument may sell cheaper and give as good a satisfaction as the expensive non-synchronous instruments.

Warner Bros.

STORY SUBSTITUTION: "Sailor Izzy Murphy," "Ginsberg the Great," "The Little Snob," and "The Crimson City."

You don't have to accept these, because they have not been founded on the theme indicated by the Work Sheet.

Paramount and FBO had no substitutions this year.

For the benefit of those that have not received copies of the issues of June 16, June 23, and July 21, let me restate the rights of exhibitors in substitution matters.

In the 1927-28 season, the distributors printed either on their Work Sheets or in their Annual Announcement Books the following provision:

"Due to causes we deem sufficient, we reserve the right, without notice, to change the cast, or the director, or the title of any photoplays described in this announcement."

You have, no doubt, read this provision before. But I am sure that, after reading it again, you will be wondering whether we are engaged in a shell game or in a legitimate business, for that is what this provision leads one to believe—that we are in a shell game; for in no legitimate business would a seller tell the buyer, after the contract is signed, that he has the right to change the conditions of the contract when HE deems it necessary, without consulting him, the buyer.

Yet, this provision has a definite meaning; it says that the distributors have the right to change the title, director, and the cast of a picture, when they think it is necessary for them to change it.

But, though its meaning is definite, some producer-distributors are interpreting it their own way; they give it an interpretation that is really bewildering. For example, in every instance, the exchanges tell the exhibitor that he must accept the substitute pictures because, by virtue of the provision in question, they have the rights to change cast, director and title.

But who has disputed such right? Not the exhibitor, by any means! What the exhibitor refuses to concede is that they have the right to change the story, or the star, or the director, if the director happens to be the main attraction, the selling point, such as he is when the pictures belongs to this director's series.

Let us be specific and give some concrete examples. The Fox picture "Gateway to the Moon" is being delivered for "Luna Park," the exchanges asserting that it is the same picture. But "Luna Park" was described in the Work Sheet as a "vivid, colorful story of carnival life," whereas "Gateway to the Moon" is a jungle story. How can any human being with even one half ounce of brains insist that the two are the same picture? And yet some arbitrators have said it is. They ought to be sent to a lunatic asylum.

Here is another thing about this picture: "Luna Park" was sold with Victor McLaglen, Greta Nissen and Charles Farrell, whereas "Gateway to the Moon" has Dolores Del Rio in the lead. By what stretch of imagination can a Fox exchange man say that the exhibitor must accept a picture with Dolores Del Rio when he bought it with Charles Farrell, Victor McLaglen and Greta Nissen?

Let us take another Fox case: "The Escape" was sold with Janet Gaynor, Victor McLaglen, and Charles Farrell (how do we know that it is not the same picture as "The Street Angel"? In "The Street Angel" Janet Gaynor "escapes" from the hands of the police authorities), and it was to have been directed by Raoul Walsh. But what is Fox delivering in its place? Merely a picture with William Russell and Virginia Valli? If the Fox exchanges haven't shame left in them and say that "The Escape" they are delivering is "The Escape" the exhibitors had bought, it would take a man with a flexible conscience, acting as an arbitrator, be he an exhibitor or an exchange man, to say that it is the same picture. And yet there have been such arbitrators, in St. Louis! They told Mr. John Marlow, of Herrin Illinois, that it is the same picture, and that he ought to play it. "This arbitration board advises that there is no merit to the claims put forth by John Marlow, . . . and the claim filed by the Exhibitor against the Fox Film Corporation is hereby dismissed," they decreed.

You can say just one thing about them, however; they have shown a little kindness towards Mr. Marlow in the case of another theatre of his; they eliminated "Gateway to the Moon," "Love Hungry," and "The News Parade." In the case of Brandt vs. Fox Film Corporation, in this city, they feared to go through with the trial, for the exchanges know that it is not so easy for them, to get

away with such "murder" here; Fox settled the dispute out of court, by making Mr. Brandt a liberal allowance, as I have been informed from other sources; Brandt refused to let me have the facts.

I might bring in other Fox "exhibits," as well as exhibits from other producer-distributors; but I don't think it is necessary, for it would serve no other purpose except to fill up more pages. I feel constrained, however, to mention just one more: Metro-Goldwyn-Mayer have attempted to deliver that "cheese" "Across to Singapore" for the late George Barr McCutcheon's "The Prince of Graustark." That is some nerve!

In case the exchanges insist that you play substitute pictures and they bring you before the arbitration board when you refuse to do so, unless you want to take the matter to the courts, proceed as follows: Secure from the exchange a press-sheet for each of the pictures in dispute. Put the facts about each picture on one column on a piece of paper, and the facts that were given in the Work Sheets in another column, opposite each picture, and present them to the arbitration board. In case you have no Work Sheets, you may obtain photostatic copies from this office, at fifty cents each, which is the actual cost. Or, demand that the arbitration board subpoena all the Fox records. They have the right by law.

Your chances of getting justice before some boards are very slim, indeed; but that is your only way out in case you should be unwilling to resort to court proceedings; you have agreed to arbitrate all disputes that might arise out of the contract, and you cannot get out of it, unless you are willing to take the following steps:

Enter a complaint with the Federal Trade Commission. The Federal Trade Commission was created by Congress to stop unfair practices. This matter comes under their jurisdiction. There is one thing, however, you must bear in mind, that an order from that body to the producer-distributor to "cease and desist" will take a long time. In the meantime, you will be compelled either to put up deposits with the members of the Film Board, in accordance with the provisions of the arbitration rules, or have a dark house. You might apply to the courts for an injunction restraining the exchanges from imposing the penalties on you on the grounds that their act is in restraint of trade.

There are other steps you might take; enter a complaint with the post office authorities on the ground that the distributor is using the mails to defraud; for fraud is his attempt to foist on you different pictures from those you originally bought.

The Department of Justice, the Attorney-General of your State, the District Attorney of your city, and the Better Business Bureau, are other persons or bodies with whom you might launch a protest.

These are the only means that I can suggest to you to help you get justice. I might also suggest that you give me the facts, in case an exchange "manhandles" you, to print them in Harrison's Reports. I am willing to go to the limit to see that justice is done to you.

If you are short of copies of the issues of June 16, 23, 30, July 21, and August 11, send for duplicate copies. These will be furnished you free of charge.

Don't let them foist on you something you did not buy and do not want!

INTERCHANGEABILITY?—MAYBE!

The trade papers of two weeks ago displayed in big headlines a statement issued by Mr. J. E. Otterson, President of Electrical Research Products, Inc., a subsidiary of Western Electric, manufacturers of the Western Electric Talking picture instrument, regarding interchangeability. "ALL INTERCHANGEABLE!" was one headline. "INTERCHANGEABILITY STAND REMOVES SALES RESISTANCE!" was another.

I have read Mr. Otterson's statement carefully and I fail to find where he said anything of the kind. In fact, things are as muddled now as they were before he issued that statement.

As far as physical interchangeability is concerned, no one disagrees with anyone; one film can be played on any instrument. Whether, however, Mr. Otterson will agree that films made by the Western Electric process be played over other instruments, he did not settle. In fact, he did not say anything about that, even though he appeared as if he had said something.

More will be said of this matter in a forthcoming issue.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions	12.00
Canada and Mexico..	12.00
England and New Zealand	14.50
Other Foreign Countries	16.50
25c. a Copy	

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, NOVEMBER 24, 1928

No. 47

Facts About Talking Pictures and Instruments--No. 9

In my previous article I stated that the cone system of sound reproduction and projection is far superior to the diaphragm-horn system. This is true of the non-synchronous as well as of the synchronous instruments.

I have had an opportunity to verify this observation by comparing the tone quality given by the new Phototone sound projector with the old horn; the improvement in the tone quality is noticeable even to untrained ears. The music is not muffled, as it is when the horn is used. So in deciding what non-synchronous instrument to buy you should be guided solely by the sound projecting system used by a particular instrument.

R. C. A. Photophone

As said before, the non-synchronous instrument that is manufactured by the R. C. A. Photophone, Inc., employs the cone system of sound reproduction and projection. Four cones will be furnished with each instrument. These will give ample volume in addition to the excellent tone quality. The price of this instrument has not yet been determined and in all probability will not be determined before the first of January. Nor is it yet known whether an exhibitor that will buy this instrument will have the right to use other than the Brunswick library of records. It has been stated in these columns before that the Brunswick Phonograph Company has been requested by the R. C. A. Photophone, Inc., under whose patents the Brunswick Company makes records, to figure putting out a library of records specially produced for moving picture work. The yearly rental charge of such library also has not yet been determined, and will probably not be determined before the first of January. But an exhibitor will have the right to use the commercial records of any company. This non-synchronous instrument is, in my opinion, the best in the market so far, in that it gives the best tone quality and the greatest volume. The price may be too big for the reach of the small exhibitor. This matter, however, will be known in month or so.

Columbia

Last week I had an opportunity to examine the non-synchronous instrument that has just been put in the market by the Columbia Phonograph Company. This instrument, too, uses the cone system of sound reproducing and projecting. Only that a single cone is supplied with it. But the single cone gives sufficient volume for theatres up to six hundred seats, in addition to the good tone quality. For theatres that have more than six hundred seats Columbia is working on another model, which will employ two cones.

The price of the one-cone model is \$800. It is equipped with two amplifier units, so that if one tube should blow out, the other unit could be used by the mere turning of a switch. The two-cone model will sell for about \$1,100. Columbia has a few one-cone instruments made, and will have some more made in about seven weeks. As far as the two-cone instrument is concerned, it will not be ready for delivery before the first of March. But from that date on Columbia will be able to take care of every exhibitor that wants the big instrument.

Columbia has about three hundred records that are suitable for picture purposes. These you may obtain from your local dealer, no doubt at a discount, whether you have installed a Columbia instrument or not. In case you cannot obtain from your local dealer what you want, you may write to Mr. Werner Doetch, in care of Columbia Phonograph Company, 1819 Broadway, New York City. Mr. Doetch has charge of this work as well as of the non-synchronous instruments. You may

write to him for any information on these subjects. I may also say that Columbia is contemplating the putting out of a record library service, for which it will make a weekly charge. But this has not yet been decided finally.

Phototone

This instrument is, as said before, manufactured by the Platter Cabinet Company, of North Vernon, Indiana. It has been discussed in these columns before, so you know what it is. Lately they have discarded the horn in favor of a cone dynamic speaker. The cone is equipped with a rectifier and is attached to a double wall baffle board with a concave bell, which, as this company asserts, gives a better sound distribution than the straight baffle board. I have had an opportunity to hear records played with the new speaker unit and to compare it with the tone quality given by the old unit, the horn, and have found that the new unit gives far better results. While this system is not, in my opinion, fully as good as the pure cone system, which is used by the R. C. A. Photophone and the Columbia non-synchronous instruments, it is a nearest approach to it. The price of the Photophone is, as said before, \$500. The charge for the new speaker unit is \$100. But \$25 credit is given for the small horn that used to go with this instrument, making the price, with the new speaker unit, \$575.

This company now puts out records that give various effects, from steam-boat siren to bells and railroad engine, the sound of horses' hoofs included.

Ampliphone

This instrument is manufactured by Mr. W. A. Thimmig, of DuQuoin, Illinois, a city near St. Louis, Missouri. I have not examined it personally, but I have received so many favorable letters from exhibitors that have installed one that I feel it deserves favorable mention in this article. One of the letters came from Mr. Fred Wehrenberg, President of M. P. T. O. of Missouri, who has had an Ampliphone for some time and assures me that there is nothing like it in the market.

Mr. Thimmig writes me that he is using a special amplifier to match the dynamic speakers he has fitted his instrument with, and assures me that it can outclass anything in the market. The speaker is mounted on a 40" baffle board. From this description, I have come to the conclusion that the loud speaker unit of the Ampliphone is similar to the unit used by the Phototone.

The price of the instrument is \$525 with one dynamic speaker, and \$550 with two such speakers, F. O. B. factory. He has started building instruments also in St. Louis. He guarantees for one year any part against defect. And his guarantee is not of the loose type, he says, but of the honest-to-goodness kind. This is the manner by which he proceeds: Suppose the pick-up would go dead! The buyer would not have to send it in first to find out if it is really defective before he gets another pick-up, and then be told that it has to be sent to the factory. He would get a new pick-up immediately by the first train and after replacement he could send the defective pick-up back. The same is true of any other part.

The prices quoted for the instrument apply to all theatres up to one thousand seats. Since larger amplifiers must be used in larger theatres, the cost is slightly higher for such theatres.

Good-All Orchestrola

This instrument is manufactured by the Good-All Electric Manufacturing Company, of Ogallala, Nebr.

(Continued on last page)

"Interference" (AT)—with Special Cast*(Paramount, Jan. 19; Synchronized; 7,480 ft.)*

That a late comer into the talking picture field, such as Paramount-Famous Lasky Corporation is, should have made a picture that is far superior to anything that has so far been produced is, indeed, surprising. But such are the facts. "Interference" is a finished product from every angle. Its tone quality is the best that has been heard in pictures of this kind. The characters at no time yell or scream like longshoremen, as is usually the case with talking pictures; they speak just as they do in life, in a tone of voice required by the occasion. The voices of the characters carry well, and are intelligible at all times. On can distinguish the little mannerisms that characterize voices in life. The recording has been done exceedingly well, and the reproduction is good, in spite of the fact that the Movietone system of sound recording and reproducing is being used at the Criterion, where the picture is now being shown. All the players do good work, and the direction is as good as it could be desired. The photography, too, is first class. As to the action, it holds one in tense suspense at all times.

"Interference" is a reproduction of the stage play by Roland Pertwee and Harold Rearden, which played in New York last year and is playing in Chicago now. It made a great success in London. It deals with a man (hero), who, in order to save the reputation of his ex-wife, whom he still loved, poisoned an ex-sweetheart of his, whom he had discarded, but who was still infatuated with him. The ex-wife (heroine) had married a member of the British nobility, who had gained fame as a physician. The ex-sweetheart wanted to bring disgrace upon the nobleman and upon the heroine, because she had thought that the heroine was still in love with her ex-sweetheart. When the hero presents to the heroine the letters she had written him years before, which letters the dead woman wanted published, and when he informs the police authorities that it was he that had committed the murder and not the heroine, whom they suspected, the doctor realizes what a noble man the hero was.

The cast consists of the excellent players, Clive Brook, Evelyn Brent, Doris Kenyon, William Powell, Brandon Hurst, Louis Payne, Wilfred Noy, Donald Stuart, Raymond Lawrence and others. The picture was directed by Mr. Roy J. Pomeroy.

"Interference" is a credit to talking pictures.

"Sinners in Love"—with Olive Borden*(FBO, Nov. 4; 6,310 ft.; 73 to 90 min.)*

Only a mediocre program picture. The story is neither new nor interesting. Miss Borden, to be sure, gives her usual vivacious performance. There are no thrills and very little suspense to hold the spectator's interest. Seena Owen, as the mistress of the hero, and Huntley Gordon as the hero, give adequate performances.

The story revolves around the oldest child of a poor family with many children who rebels at the dirty and lowly condition of her home and who goes to the city to seek her fortune. After wandering around for a job she finally obtains one in a restaurant through her fellow-roomer who introduced her to some gay old sports who take her to a cabaret. Her escort makes love to her and she escapes into the hero's office. After telling him her story, he gives her a job as maid to his mistress and later, when he discovers how beautiful she is, and having fallen in love with her, she becomes a "come-on" in the gambling rooms. She entices a millionaire to play roulette and after he had lost all his money she learns what her job really is and runs away. But the hero seeks her out and promises to marry her and reform. His mistress, learning of the affair, plans with a former henchman of the hero, a dope fiend, to have the girl come to his apartment where he would murder her. Instead she kills him in an effort to save her honor. The hero finds out that his mistress had lured the girl away and goes to the apartment where he puts the revolver in the murdered man's hand to make it appear as if he had committed suicide. He takes her away and they are shown later as happily married.

It was directed by George Melford from the True Story Magazine story "The Law You Can't Forget." Others in the cast are Ernest Hilliard, as the dope fiend and hench-

man, who, too, is good; Daphne Pollard as the heroine's girl friend who contributes a little comedy, and Phillips Smalley as the millionaire who fell for a pretty face.

"Alias Jimmy Valentine" (PT)—William Haines, Lionel Barrymore and Leila Hyams*(Metro-Goldwyn, Jan. 26; 8,000 ft.; 93 to 114 min.)*

Very good! The interest is held tight by what is unfolded. The scenes that show Jimmy Valentine, after he had successfully made the detective believe that he was not Jimmy Valentine, sacrificing everything in order to save the child that had been imprisoned accidentally in the bank vault, are suspenseful. These scenes show all the characters talk. They grip the spectator until it is all over. The tone quality is good, and the synchronization perfect. It is plainly evident that the talk adds to the entertainment values of the picture.

It is Paul Armstrong's old stage play, in which a clever crook is shown regenerated by his love for a girl, who did not know he had been a crook; she, too, had fallen desperately in love with him. But the detective would not leave him alone. With a clue, he is able to pin an Express Office robbery on Jimmy Valentine. He follows him to the country, where he had been working in a bank, of which his sweetheart's father was president. He appears at the bank and accuses the hero to the president as being Jimmy Valentine, the famous crook. But the hero is able to prove to the detective that he is not Jimmy Valentine. Just as the detective was ready to leave after making profuse apologies for the "mistake" he had made, the heroine enters and with tears in her eyes informs her father that her little sister had been accidentally locked into the new vault. As no one had the combination of the safe and as the child had but a short time to live, the hero discards his pose and opens the safe, saving the child. The detective, however, instead of arresting him, goes away, assuring him, the hero, that to him Jimmy Valentine was dead.

There is a great deal of comedy throughout the picture, caused by Mr. Haines and by his pals, Karl Dane and Tully Marshall. The picture was directed skillfully by Jack Conway.

"The Farmer's Daughter"—with Marjorie Beebe and Warren Burke*(Fox; July 2; 5,148 ft.; 69 to 73 min.)*

A good slapstick farce comedy. At times it makes the spectator howl with laughter. It is refreshingly acted by a newcomer, Miss Beebe, who is a splendid comedienne. Arthur Stone, as the villain, too, contributed not a little to the hilarious fun as the city slicker who learned that the farm girl had some money and who tried to annex it by wooing her. Lincoln Steadman as the heroine's country sweetheart, and an inventor of a machine for wrapping the cheese which is manufactured by the girl's father, adds his bit of fun. Warren Burke, though announced as the hero, has little to do. He is merely picked up by the villain in his car in the beginning of the picture and at the end appears in time to save the country people from losing their money when they learned that they were being "gypped" by the villain. A well-trained donkey, pet of the heroine, is also laugh-provoking.

The story, not particularly original, revolves around the strong farm girl in love with her inventor-sweetheart, who plays with her boy friends in a decidedly rough manner and thus is able to protect herself. She falls for the soft talk of the villain. She is ready to give her money to him at the fair where the machine was on display, for the purpose of raising funds to promote its manufacture, when she finds out that he is a crook. The hero tells his father, a cheese manufacturer, that the machine is a wonder and so, of course, he buys it and the country folk do not lose their money.

The picture was directed by Arthur Rosson from a story by Harry Brand and Henry Johnson, adapted by Frederica Sagor. Sam DeGrasse is the farmer.

It should please all classes of audiences who like broad comedies because of its wholesome clean fun.

"The Home Coming"—German Cast*(Paramount-Ufa, rel. date not yet set; 8,104 ft.)*

This is not a picture for the regular theatres; it is rather suitable for theatres that cater to a special kind of custom, such as attend Little theatres. The story is that of two Germans, friends, who, while fighting at the Russian front, are made prisoners of war and sent to Siberia. They decide to escape. One of them is unable to proceed any further from exhaustion, and, while the other hunted for water the soldiers find and take away the exhausted friend. The other eventually succeeds in reaching Germany. There he finds his friend's wife and as he had no other home he is invited to stay. Soon they fall in love. The husband returns after the end of the war, and, finding his wife in the arms of his friend, thinks the worst. The friend assures him that there is nothing wrong between them, and that that was the first kiss he had taken from his wife. The husband, realizing that his wife loved his friend, goes away, leaving her to his friend.

The theme is demoralizing, in that it sanctions a husband's delivering his wife to another man without the formalities of divorce. Some scenes are very "hot," indeed, such that may be objected to by family custom. At one time the wife is shown uncovering her body beyond to what an American director would have permitted under similar circumstances. In other scenes it is plainly evident that both the man and the woman were thinking of each other in the terms of sex. In short, the picture appeals almost wholly to the sexual passions; there is nothing in it for the mind. No fault can be found with the acting and the direction.

The plot has been founded on the novel "Karl and Anna," by Leonard Frank. Joe May has directed it. Lars Hansen, Dita Parlo, Gustave Froelich and others are in the cast.

"Honeymoon Flats"—with George Lewis and Dorothy Culliver*(Universal, Dec. 30; 6,057 ft.; 70 to 86 min.)*

A good program picture. It is a domestic story, in which misunderstandings lead husband and wife to a point where they are to part. But eventually each realizes that he loved the other and they make up. The trouble had been brought about chiefly by the heroine's mother, who had always been meddling in their affairs.

The jealousy is on the part of the young husband this time; he suspected his wife of infidelity, because he had seen a rounder pay too much attention to her. The truth of the matter was that the rounder had illicit relations with the wife of the hero's friend, but the friend all the while thought that the rounder was after the heroine.

George Lewis is the young hero, Dorothy Culliver the young heroine, Kathryn Williams the heroine's mother, Ward Crane the rounder, Bryant Washburn the blind husband, Jane Winton the faithless wife. Eddie Phillips, Phillips Smalley, Fisher Caron, and others are in the cast.

The story is by Earl Derr Biggers, which was published in the *Saturday Evening Post*. It was directed well by Millard Webb.

"Driftwood"—with Don Alvarado and Marceline Day*(Columbia, Oct. 15, 6,267 ft.; 72 to 89 min.)*

A fair picture of neighborhood caliber. Its action is rather slow on account of the type of story. Miss Day is quite good as the heroine (a demi-monde) who was willing to be any man's girl but not any man's wife. Don Alvarado (hero) is likeable as the lazy beachcomber who at first disliked the heroine but who finally fell in love with her.

The picture, an adaptation of the Richarding Davis story, revolves around the derelicts who drift to the South Sea Islands because of difficulties they had in their own country. (It is full of native girls doing their famous hula dances and is slightly sexy.) The owner of the island (villain) covets the white girl, who had escaped by swimming from the boat of a man who had played a trick on her by wanting her for himself instead of getting her a promised job. The villain wants to marry her but she does not want him. In order that she might remain on the island she buys the hero when

drunk for \$10 and induces him to marry her. When the villain goes to the shack to get the heroine, he is given a sound beating by the hero. The villain then kidnaps the hero and locks him in his rooms planning to send him to a leper colony so that he might have the girl. His native girl warns the heroine, who goes to the villain and pretends that she wants to live with him so that she might learn where the hero had been hidden. After their escape, they both leave the island, prepared to live a new life.

The picture was directed by Christy Cabanne. Others in the cast are Alan Roscoe as the villain, Fritz Brunette as the native girl and J. W. Johnson as the owner of the boat.

"On Trial" (AT)—with an All Star Cast*(Warners-Vitaphone, Dec. 29; Synchronized; 8,693 ft.)*

A great play, greatly acted and directed. But the tone quality of the sound is the worst that has so far been heard in talking pictures. In some of the scenes it is difficult to understand what Pauline Frederick is saying. The voices of the characters, with the exception of those of Lois Wilson and of little Vondell Darr, sound muffled; they lack the crisp quality that characterized the voices of the actors in other Warner Bros. productions. At times the reverberation of the sound is so prolonged that one almost can distinguish the different "layers." These defects seem to have been caused by inadequate sound-proofing of the studio and by the lack of understanding of the action of sound by the director. It is evident that the microphone was not placed in direct line with the speaking actor.

As far as the story is concerned, it is great; so great, in fact, that the lines spoken by the child and those spoken by Miss Wilson will stick in one's memory for long after one has seen the picture. The acting of little Miss Darr is superb; it is almost unbelievable that a child of her age could be so natural in portraying a part. The scenes in the court room where Miss Wilson appears with the intention of testifying so as to save her husband, who was unwilling to testify for himself, and thus save his life are very powerful, indeed. There is suspense throughout.

The story revolves around a husband (hero) who suspects his wife (heroine), whom he loves devotedly, of indiscretion with a friend of his. The wife's acts had made him suspect her, because she could not explain them satisfactorily. The hero goes to the other man's home, and shoots and kills him. He is arrested for murder. During his trial he is unwilling to take the stand and testify for himself. His lawyer puts the hero's child on the stand against the protests of the hero. By clever cross-examination the hero's defense counsel is able to bring out part of the facts that had led to the murder. The heroine, who had disappeared, was very ill at a hospital. She overheard two nurses discussing the trial and learns that her husband was being tried for murder. She rushes to the court room, takes the stand, and tells the court how the dead man had wronged her when she was an innocent little girl, how she had found happiness in her marriage to the hero, particularly after the coming of their child, and how the dead man had threatened to destroy her happiness by telling the hero of their past, and how the hero had misunderstood her motive in going to the dead man's home, where she had gone to plead with him not to destroy her happiness, resulting in the murder. The jury retire and all except one were for acquittal. The case is reopened and by some new clues it is found that the dead man had been killed by his secretary who had robbed the safe of the twenty thousand dollars, which the hero had given the dead man in payment of a debt. The dead man had given the hero a card on the back of which there were the numbers of the combination of his safe. The secretary had taken the card out of the hero's pocket and had opened the safe, and at the trial had made it appear as if the hero had gone to the house to rob the safe.

The defects in the tone quality mentioned are noticeable only in the first half of the picture, where the interest is not so tense; in the second half they are not so noticeable because one's attention is absorbed completely by the unfolding of the events.

The play is by Elmer Rice. It was directed by Archie Mayo. Others in the cast, are Bert Lytell, Holmes Herbert, Richard Tucker, Jason Robards, John Arthur, Franklin Pangborn, Fred Kelsey, Edmund Breese, and Edward Martindel.

It sells for \$495. It is equipped with three speakers. No. 1 is a 12 foot air column speaker. Nos. 2 and 3 are either balanced armature cones, or dynamic cones, of the Magnavox type. The exhibitor may have either kind. I have not examined this instrument but several of those exhibitors that have installed it praise it highly. Among such exhibitors is Mr. Chas. W. Picquet, of the Carolina Theatre, Pinehurst, North Carolina, President of the M. P. T. O. of North Carolina. He suggests that I advise all those of exhibitors that are interested in non-synchronous instruments that if they have not heard the Good-All Orchestrola they "Ain't heard anything yet." These testimonials, particularly the testimonial from Mr. Picquet, is what has prompted me to give this instrument a position in this article.

Orchestraophone

This instrument is sold by National Theatre Supply Company. The Junior Model sells for \$750, \$200 down and balance in easy monthly payments. The turntables are in an all-steel cabinet. From what I have learned it gives good satisfaction. The horn type of sound projection is used.

Cueing Services

There are two cueing services functioning at present, Exhibitors Cueing Service, 845 South Wabash Avenue, Chicago, Illinois, and Q-Service, 988 Rupley Drive, N. E., Atlanta, Georgia.

I sent a letter to the Atlanta concern asking for information on several things, including particulars about the musicians that compile the cue sheets and what experience they have had. They answered every question except about their musicians.

The Chicago concern answered every question satisfactorily.

The Atlanta concern leases each cue sheet at one dollar each, on a weekly service basis. In other words, you cannot get a cue sheet occasionally; you must get them regularly.

The Chicago concern charges \$1.00 for each cue, and \$5.00 a week on a weekly charge of not more than seven cue sheets a week.

There is also the National Record Cue Service of America, at 1600 Broadway, this city, but the owners of it have failed to give me the information that I asked of them as to who cue the pictures and what experience they have had.

In addition to these services, the Platter Cabinet Company has decided to put out a cue service of its own, engaging Mr. Bradford, a first class musician, to do the compiling of the cue sheets.

LET THE MOVING PICTURES BE DRY!

In order for you to conduct your theatre profitably it is essential that you appeal to one hundred per cent. of the picture-going public. If you were to alienate, say, even twenty per cent. of such public, you could not conduct it profitably; your profit would be gone.

At the last election over twenty million people voted dry, if we are to assume that those who voted for Mr. Hoover voted for the maintaining and the enforcement of prohibition. No matter what our personal beliefs may be in the question of prohibition, if we are to be real Americans we must abide by the will of the majority.

Most theatres are located in dry territory. You will realize, therefore, how essential it is for you to avoid giving the slightest offense to any of your customers and to possible customers.

Unfortunately, the nature of pictures in the matter of prohibition have been such that you offended many of your customers, for the reason that many of the pictures depicted drinking and debauchery scenes, such as would give offense even to persons opposed to prohibition.

I have had many letters stating how injurious this feature has proved to their business, and how desirous they are to see an end put to it. One of them told me that he has had a mother call on him and tell him that the reason why she would not allow her children to attend the performances at his theatre, even though she was well aware of the fact that he conducted it very properly, was her fear lest they take to drinking by seeing how other people become intoxicated.

Since the verdict of the people at the last election was for the continuance of prohibition, why not have prohibition also in pictures? There is no question that the

disregard of the producers of the sentiment of the people in this question has hurt the business. In fact, this feature has done more to hurt the theatre business than even business depression itself. People will not allow their children to attend picture theatre performances. And when they keep their children away, they stay away themselves, either because they are not "lurcd" to the theatres by the young folk, or because they do not want to arouse a desire for pictures in their children. And you are made to suffer, although you have nothing to do with this condition.

Mr. Hays has assured such organizations as desire the betterment of the moral quality of pictures—not professional reformers but real friends of motion pictures—that the members of his organization have decided to discontinue depicting drinking and debauchery scenes in pictures except when it is absolutely necessary for the development of the plot. In my observations as a reviewer I have found that the statement of Mr. Hays is not correct, for often I have seen drinking scenes unnecessary to the plot included in the picture only because the producer on the coast thought that life is nothing else but one cocktail party after another. It is hardly necessary for me to give titles of such pictures; every one of you knows that neither Mr. Hays nor any of the members of his organization can contradict this statement.

Another excuse given to these good persons by Mr. Hays has been that pictures must be internationally-minded. This excuse, too, is untenable, for the harm done to the reputation of this nation by the inclusion of drinking and debauchery scenes in pictures is irreparable. Millions upon millions of people throughout the world have no chance to visit this country. They are compelled to form their opinion of us, therefore, by what they see us do in moving pictures. And the moving pictures, as they are produced now, do not convey the true character of the American people. What will they think of us when they see us drinking and carousing even though we are supposed to have a law making it a criminal offense to possess liquor, not to say to sell liquor? They will surely think that we are a nation of hypocrites.

There is no question in my mind that ninety per cent. of you agree with those of exhibitors who have written me the letters protesting against this condition, and who believe that drinking should be eliminated from pictures; but you are helpless to bring about a change for the reason that, because of the selling system now prevailing, you are compelled to buy your pictures before they are made, and to contract for them in a block. You cannot reject such pictures as you know they will offend your custom. Mr. Hays cannot shut drinking scenes out of pictures either, for the reason that the members of his organization will not accept his suggestions. This has been demonstrated repeatedly by their having put into pictures books and plays he has banned. Yet there must be some way to bring this reform about.

How can it be brought about?

In my opinion only the Brookhart Bill can bring relief to you in this matter,—that same bill that the producer-distributors so savagely fought last year.

The Brookhart Bill may not be perfect. The method of its enforcement, which Senator Brookhart has provided, may not be just right. But the principle of it is right. As far as the mechanics of its enforcement is concerned, let me say that Senator Brookhart has assured me that he is willing to amend it so as to prevent any harm to the interests of the independent exhibitors. Senator Brookhart framed and introduced his bill in Congress with but one object in view—to help the independent exhibitors. And that is the spirit that animates him today. If you want relief, then, you must lend him your support in his efforts to have this bill enacted into law. With the Brookhart Bill made into law, not only will you not be compelled to play pictures that contain drinking and debauchery scenes, but you will have a chance to bid for product in the open market, instead of having to wait until the affiliated circuits milk it dry. This bill will be an insurance to your business. In the meantime, I suggest that, if you desire to avoid playing pictures that play up drinking, take your complaint to the board of arbitration. And don't forget to take your minister, rabbi or priest along so as to impress upon the arbitrators that they shall not render an award that will offend the sentiment of the people of your community.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions	12.00
Canada and Mexico..	12.00
England and New Zealand	14.50
Other Foreign Countries	16.50
25c. a Copy	

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, DECEMBER 1, 1928

No. 48

YOUR RIGHTS IN CANCELLATION NOTICES

I have been told that many exhibitors do not know that they have as much right to send in a notice cancelling an application for a contract before the producer-distributor approved it as has the producer-distributor within the time limit specified in the contracts for a particular zone. If so, then they should know that, if they should send a notice of cancellation either by letter, or by telegraph or by note, delivered by special messenger, before the producer approved their application, that application stands canceled. A telephone cancellation is equally effective. But if any one takes such means to cancel an application, it will be necessary for one to have witnesses to prove it.

The precedent that has been established is that when both the exhibitor and the distributor send in their notices, the one notice cancelling and the other approving, priority of time determines which one is valid. If, for example, the postmark on your envelope, or the time you delivered your letter to the registry department of the post office, is earlier than the time denoted by the post mark on the envelope that carried the approved contract to you, then the contract remains cancelled. If the time on the distributor's envelope shows priority, then the contract remains in effect. The same is true if the notices of both are sent by telegraph; priority of times determines the standing of the contract.

When the distributor fails to approve your application within the time limit specified in your contract for your zone, such application is null and void at your option, even though you have received it. In other words, if the distributor approved the application outside the time limit and sent it to you, if you want the contract, no one can prevent you from accepting it. Once the contract is in your hands, the exchange cannot recall it, unless it recalls it through the post office channels. And then only before it has reached you. But you can notify it that you don't want it.

I suggest that you save the envelopes of all important correspondence you receive from exchanges. An envelope saved at so little trouble may save you much trouble later on. You might also mark on the envelope what was in it, and the exact time you received it.

In sending cancellation notices or other important mail, register the letter. The burden of proof that you sent a cancellation notice rests upon you, just as it rests on the distributor when there is any argument as to whether you received or not the approved contract; if he lacks a registry receipt or other proof, he is out of luck.

FAKING

Some companies photograph the sound on the film, and after they edit the picture they run it through the talking machine and record the talk on discs. While the synchronization by such a manner of recording is perfect, the tone quality can in no way compare with that given when the talk is recorded on the disc directly.

Since we are talking about tone quality it would not be a bad idea for you to mark on your contract that the talk, whether recorded on the film or on the disc, must not be "second-hand," or, it must not be recorded from other than the actor's voices directly at the time of taking the picture; and it must not be "superimposed." You ought to do this not only for your own protection, but also for the protection of your public. Superimposing "talk" on a film is a form of cheating. And when you show to your customers such film, you aid in the cheating, regardless of the fact that you are an innocent party.

The excuse for this form of cheating given by some producer-distributors is their desire to supply the exhibitor, and consequently the public, demand for talking pictures. But this should not prompt them to adopt means that are unethical and even fraudulent; if talking pictures are to remain a permanent attraction, the public should be treated honestly.

ABOUT OUTLAWED CONTRACTS

I have read in the bulletin sent by M. P. T. O. of Indiana the following under the heading, "Outlawing of Contracts on Account of Age."

"Many of the exchanges are now cleaning their records and are demanding play-dates on old contracts. If your contract is over one year old or if one year has elapsed since you played any subjects from such contract or any play-date thereon was arbitrarily set for you by the exchange, then such contract is outlawed by reason of its age and you cannot be forced to play the remaining pictures on it. . . ."

As said before, the age of your contract starts from the play-date contained in the second clause or in any other provision. If there is no play-date mentioned, then the one-year life of your contract starts from the first play-date set in accordance with the provisions of the play-date clause.

If the contract is for one or more unplay-dated pictures and no picture was played within twelve months from the date it was signed and no date was set arbitrarily by the exchange during that time, such contract becomes automatically outlawed.

"Manhattan Cocktail" (S)—with Nancy Carroll and Richard Arlen

(Paramount, Nov. 24; 6,051 ft.; 70 to 86 min.)

Indifferent! Money has been expended lavishly on it, but the story lacks appealing qualities. It is the old, old story of a girl that wanted to enter Broadway as an actress, because she thought she had talent. She had taken part in college plays and she thought that, with her experience at acting, she could set Broadway afire.

In the development of the plot the girl (heroine) is shown as disregarding the advice of the young man (hero) she loved, and as going to New York with another student, who, too, had similar aspirations. Her partner proves to be a selfish person; when the wife of a producer, who always sought young "talent," "finds" him and induces her husband to give him a place in the chorus, he gets such a big head that he lets the heroine drift for herself, until the heroine, on the advice of an old stage watchman, succeeds in inducing the producer to engage her. The producer becomes fascinated by her beauty and offers her a position. But he soon finds out that she wasn't "that kind of girl." The hero comes to town to induce the heroine to go back home with him but she will not go, because fortune began to smile on her. The producer's wife chances to come upon the hero and realizes what a "talent" he had. She recommends him to her husband. The husband becomes so tired of his wife's talent discoveries that he instructs his lawyer to start divorce proceedings. He frames the hero and has him jailed for check forgery. The heroine goes to his apartment and pleads with him to save the hero. He promises to do so provided she capitulates to him. She promises to do so but not until after he had bailed him out and had withdrawn the false charges against him. He agrees, and has him bailed out. But the heroine reneges. It all ends with the hero and heroine returning home.

There are hardly any situations that hold the spectator's interest very tense. It is just one of those pictures that one may see and either enjoy or not enjoy, this depending on one's mood. There is nothing in it that will impress one.

The story was written by Ernest Vajda. It was directed by Dorothy Arzner. Nancy Carroll and Richard Arlen do good work well enough. Paul Lukas, Lilyan Tashman, Danny O'Shea and others are in the cast.

The only voice heard in it is that of Nancy Carroll; she sings two songs. And she does it well. The remainder of the picture is synchronized with music only.

"The Masks of the Devil" (S)—with John Gilbert

(M-G-M, Nov. 17; 6,575 ft.; 76 to 94 min.)

The part Mr. Gilbert plays is so unsympathetic that while he holds the attention of the spectator by what he does fairly well half of the time, he never arouses his sympathetic interest. He is presented as a man with a fascinating face, but with the heart of a devil. He is a "terror" with women, and when his school-days chum visits him and presents to him the girl he was to marry, he fixes his gaze upon her and frightens her. With a scheme conceived by his devilish mind, he sends his chum away to Central America, on an oceanographic ex-

pedition, so that he might find an opportunity to capture his chum's sweetheart (heroine). He succeeds, even though the heroine had tried to resist him. When the young man returns from his trip and learns that his sweetheart loved the hero, he gives her up to him.

The action is monotonous, because of the fact that the hero goes through the same thing over and over again. He does nothing but follow the heroine and try to charm her so that she might love him and not his chum. At times one is bored.

The plot has been founded on Jacob Wassermann's novel "The Masks of Erwin Reiner." It is supposed to be the story of the painting of "Michael and the Devil," which hangs in a church in Vienna. This Reiner is supposed to be a count whose morals were very lax, but who had been selected by a famous artist to pose as the angel. The picture was directed by Victor Seastrom well. Mr. Gilbert did the best he could in an unpleasant part. Eva Von Berne is not much either as a screen beauty or as an actress; she is too stiff. Theodore Roberts does well as the artist. Ralph Forbes is the sweetheart. Ethel Wales contributes some comedy, she takes the part of a selfish aunt, who did not mind what happened to the heroine so long as she fared well.

"The Power of the Press"—with Jobyna Ralston and Douglas Fairbanks, Jr.

(Columbia, Oct. 31; 6,465 ft.; 75 to 92 min.)

A good entertainment. The spectator is held in pretty tense suspense all the way through, and his sympathies are appealed to. There is some comedy here and there, too, and some thrills. The thrills occur toward the end, and although they are of the "hokum" variety, they are effective, just the same. They are caused by the villains in an automobile trying to capture the hero, a cub reporter, who had captured their leader and had been taking him to the office of his newspaper for a big story. This villain had killed the district attorney at the orders of a candidate for mayor, who was fighting the heroine's father, who, too, was running for mayor. This all happened a few days before the election, the object of the villainous candidate being to kill the chances of the heroine's father for his election; he had made it appear as if the heroine had illicit relations with the dead man. The hero, thought of as a "dumbbell," had become very popular with his editor for having scooped all other reporters on his paper as well as the reporters on the other papers, and secured a story connecting the heroine with the district attorney. But afterwards he had fallen into bad graces with him for having demanded the retraction of the story, because the heroine had convinced him that she was innocent, and that his story had brought disgrace upon her and upon her innocent family. The hero is discharged. But soon afterwards he follows a clue and gets the real murderers. The big story he obtained as the result of his having followed up his "hunch" re-instates him in the graces of the editor and he is given his job back. He wins also the heroine.

The story was written by Frederick A. Thompson. It was directed by Frank Capra. Mildred Harris, Philo McCullough, Wheeler Oakman, Robert Edeson, Charles Clary, Del Henderson and others are in the cast.

"Outcast" (S)—with Corinne Griffith
(*F. N.*, Nov. 11; *Synch.*, 6,854; *silent*, 6,622 ft.)

Artificial! Therefore it does not arouse much interest in the spectator. Besides, some of the action is not sympathy arousing. For instance, the hero loses the woman he loves; she had married for money. Later on he meets the heroine, who had been supposedly thrown out of her home in the underworld by her sweetheart; they become chummy, so chummy, in fact, that the hero sets up an apartment for her. Some months later the ex-fiancee meets the hero and renews their friendship; she makes him believe that she still cared for him. As a result, the hero grows cold towards the heroine and prepares to run away to South America with his ex-sweetheart. But the ex-sweetheart does not want to go to South America, preferring to remain in the United States, and close to her wealthy husband's purse, intimating that she would not be averse to the idea of having secret relations with him. The hero is shocked at the idea. The heroine, in order to expose the ex-sweetheart, calls on the hero and demands a big sum of money for her silence (a peculiar way for a woman to show her love), intimating that she could get twice as much from his ex-sweetheart's husband. The ex-sweetheart, fearing lest the heroine reveal her conduct to her dollar-loaded husband, leaves the hero and runs to her husband before the heroine could reach him. The hero now wakes up to the fact that the ex-sweetheart did not love him and that the heroine was true to him.

Such an unfolding of the events in a drama is somewhat contrary to our moral standards. And this is the reason why the spectator's emotions of sympathy are not appealed to.

The plot has been founded on a story by Hubert Henry Davis. The picture has been directed by William Steiter. Edmund Lowe supports Miss Griffith, as the hero. Kathryn Carver is the woman that had married the moneyed man. James Ford, Huntly Gordon, Louise Fazenda, Sam Hardy, Lee Moran and others are in the cast.

"Sisters of Eve"—with Anita Stewart and Betty Blythe

(*Rayart*; *Sept.*; 5,675 ft.; 65 to 81 min.)

The picture started out with all the appearance of being a thrilling mystery drama, such as the author of the story, E. Phillips Oppenheim, is known to write mostly. But the spectator's interest is lost half way through when the action falls flat. The ending is dull. Miss Stewart (heroine) is adequate as the girl that preferred poverty to riches, which were obtained at the sacrifice of happiness. Miss Blythe is the adventuress that prefers riches at the sacrifice of others' happiness, including that of her husband, whom she had driven insane. Creighton Hale (hero), a trifle stout, is rather well fitted to the role of the arrogant, conceited man, whose one aim was to become very wealthy; he ignored women as being unnecessary in his scheme of life but finally succumbed to both the heroine and the adventuress. There are one or two exciting scenes such as the one where the adventuress' insane husband is shown under guard of a strong man, being forced to sign checks for his mercenary wife; the one of his subsequent escape, after he had killed his guard, and the one of his return to his

wife's apartment where the hero was visiting her.

The story revolves around two sisters, formerly in a vaudeville act in New York with their father. The adventuress marries one of the twin sons of a wealthy family. They go to Europe and the husband disappears supposedly murdered or a suicide. A detective is hired to locate him. The hero, in the meantime has rescued the heroine after she had taken poison when she became disgusted with life. She consents to become his housekeeper if he will promise not to disclose her whereabouts to her sister who was anxious to find her. The adventuress lures the hero to her home and makes him fall in love with her. But when her husband appears, and he learns what she really was, he realizes that money, which was his god, was not everything in life and so he goes away and later is united with the heroine.

The picture was directed by Scott Pembroke from Mr. Oppenheim's novel "The Tempting of Tavernake." Francis Ford is good as the detective, as is Charles King, who plays the dual role of the twin brothers. Harold Nelson is the father who aided his adventuress daughter fleece her husband.

"Silks and Saddles"—with Marion Nixon and Richard Walling

(*Universal*; *Jan.* 20; 5,809 ft.; 67 to 83 min.)

A good enough race-track melodrama suitable for smaller theatres. There is a nice love story interwoven and lovers of the sport will enjoy the two races, in which the hero is shown as having thrown one and won the other. Richard Walling is likeable as the jockey whose devotion to the heroine and to her mother, who had raised him, was temporarily forgotten when he fell into the clutches of a racing combine, which used a beautiful girl to win the confidence of the jockey so that he would do whatever she asked him. Mary Nolan is the beautiful blonde. Marion Nixon is sweet as the girl who had faith in the hero, even after he had become a tramp, when he learned what he had really done. Claire McDowell is good, too, as the owner of the champion horse, who would not allow anyone but the hero to ride her.

The story is familiar; it revolves around the country boy, who gets a chance to go to New York to ride in the big races, and who meets the wrong crowd, as a result of which he throws a race and is disgraced until he gets a chance to try again, because the heroine still had faith in him.

The picture was directed by Robert F. Hill from a story by Gerald Beaumont. Others in the cast are Sam De Grasse, Montague Love and David Torrence.

ABOUT TALKING PICTURE INSTRUMENTS

It seems as if many of you think that the synchronous instruments that are offered to you by independent manufacturers can play also talking pictures that have the sound on the films. This is erroneous; it is only the Western Electric, the Photophone and the Power's Cinephone that can play such film. All others are only disc instruments.

I am preparing an article on the independent talking picture instruments, which I hope to present in two weeks. Before contracting for one of such instruments, wait for this article. It will give you the information you want.

MY SYMPATHIES GO TO ARTHUR JAMES!

Our good friend Arthur James is in distress; in the November 19 issue of "Daily Review," thus writes under a heading, "The Unholy Three":

"Said a trade paper editor to an advertiser in the film business:

"There are too many trade papers and I suggest you play with just three of them, one daily and two weeklies.

"The idea is to let the others die off through nonsupport and that will solve a great problem for the producer and distributor."

"Heh! Heh! And solve a problem also for Quigley, Alicoate and Johnston who are most favorable to this unholy idea. The Divine Right of Kings was a good gag while it lasted—good for the kings—but the divine right of trade paper status must be earned by service to the industry from which the bread and salt is derived.

"When the Brookhart bill, subjecting the industry to Federal control, was up before the Congress joint committee, the Unholy Three stood this way—

"Film Daily—absolutely for the measure that would have crippled the business.

"Motion Picture News — straddled the issue completely, seeking vainly to serve both sides.

"Herald-World—ignoring the issue as though it were unimportant.

"Should this course be rewarded by the support of the industry in order that they kill off their competition? By what sleek effrontery is this accomplished? This newspaper serves notice on all concerned that the desperate and sneaking course shall not go unresisted and it is prepared to pull the lid off if the whispering campaign continues.

"No foolin', neighbors, no foolin'!"

* * *

You can't realize how sad I felt when I read this article in the "Daily Review." Arthur James' distress distressed me, too, for none knows better than I how loyal he has been to the producers, and how staunchly he has fought for their interests. There is not one amongst them that has fought the Brookhart Bill fiercer than Arthur James. The services he has rendered them in the question of substitutions is, indeed, invaluable; when you found out that some of the pictures you bought on the 1927-28 contracts were substitutes and refused to accept them, it was Arthur James that condemned you for it,—for trying to ruin the industry. When our good friend Charlie Pettijohn sent for that other good friend of ours, Pete Woodhull and instructed him to send a telegram to Mr. Herriot, French Minister of Education, in an effort to outmanoeuvre Aaron Sapiro, who telegraphed to him that his, the Sapiro, organization would welcome French films of good quality, it was Arthur James that edited that telegram of Pete's to make it more effective. In fact, Arthur James has for a long time been the consultant of the Hays organization. He has always devoted the pages of his paper to the protection of Mr. Hays and all those connected with him. This policy he adopted immediately after he realized how wrong he was in caricaturing Mr. Hays and in attacking Messrs. Zukor, Schenck and others of the producer-distributor clan. This happened about three months after he started one

of his papers. At that time the Metro-Goldwyn advertisement appeared in it. To think, then, that after these loyal services he should be compelled to issue a warning to these same producers to the effect that unless they advertise in his two papers he is going to kick the bucket is, indeed, discouraging. It shows how ungrateful some people are. We are compelled to bring to our minds the German saying: "Ingratitude is the reward of the world." And Arthur James has certainly had his share of it.

Motion Picture News, Film Daily, and Herald-World have been receiving tons of advertising lately. Herald-World, in particular, had to turn most of it away since the consolidation for inability to handle it. Why shouldn't the ungrateful producer-distributors take part of it away from these three papers and give it to Arthur's two papers? It would be no more than just, to a man who has fought for their interests more unselfishly than have these three papers combined.

At this occasion, I might just mention another ungrateful thing these producers did to Arthur. Arthur had one white elephant on his hands. Under the promise of seas of radium in advertising, they induced him to take over another white elephant. He now has two white elephants.

Now that Arthur has found out all these things, we should like to have him back into our fold. We are not resentful. Though few of us has had a father minister, yet I am sure that every one of us has learned to forgive. Let us send him a telegram and tell him, like the father to his wayward daughter, "Come home! all is forgiven!"

THE VALUE OF THE BLUE SECTION

The usefulness of the information given in the Blue Section is so great to the subscribers of HARRISON'S REPORTS, particularly to exhibitor-subscribers, that I have taken extreme care to avoid errors. I have even referred the proofs to the distributing departments of the producer-distributors for a careful checking up of the release schedules.

I have always tried to have the Blue Section correct in all particulars. There have been errors, however. But nine-tenths of such errors have been of the producer-distributors, who either do not give me a correct schedule or alter their schedule after it is printed.

I wish to call your particular attention also to the news weekly release chart, by aid of which you are placed in a position to know whether your newsweekly reaches you at the age your contract calls for. It required much hard work to conceive and prepare this chart; but I shall deem it worth the effort if you will take advantage of it. If any of you cannot understand it thoroughly, send me the facts and I shall be only too glad to help you out. Give me the age at which you are supposed to play your News, the serial number of the News you want me to test for you, and the zone from which you are served. With this information in my possession, I shall be able to answer your query by return mail.

The information about the release days has been obtained from the distributors themselves.

The chart this week has been amended; some of the companies have made some corrections in their release days.

HARRISON'S REPORTS

Vol. X

SATURDAY, DECEMBER 1, 1928

No. 48

(Partial Index—No. 6—Pages 165 to 188)

Air Legion, The—FBO	182
Alias Jimmy Valentine—Metro-Goldwyn-Mayer	186
Battle of the Sexes—United Artists	167
Companionate Marriage—First National	178
Court Martial—Columbia	166
Crash, The—First National	179
Do Your Duty—First National	179
Driftwood—Columbia	187
Dry Martini—Fox	179
Farmer's Daughter, The—Fox	186
Good-Bye Kiss, The—First National	182
His Private Life—Paramount	182
Home Coming, The—Paramount-UFA	187
Home Towners, The—Warner Bros.	174
Honeymoon Flats—Universal	187
Interference—Paramount	186
Marked Money—Pathe	175
Marriage by Contract—Tiffany-Stahl	166
Me Gangster—Fox	170
Melody of Love—Universal	178
Midnight Taxi, The—Warner Bros.	174
Moran of the Marines—Paramount	166
Naughty Duchess—Tiffany-Stahl	170
Ned McCobb's Daughter—Pathe	178
On Trial—Warner Bros.	187
Power of Silence—Tiffany-Stahl	166
Red Lips—Universal	170
Runaway Girls—Columbia	174
Sal of Singapore—Pathe	171
Show People—Metro-Goldwyn-Mayer	183
Stool Pigeon—Columbia	174
Street of Illusion—Columbia	175
Sinner's Parade—Columbia	182
Sinners in Love—FBO	186
Take Me Home—Paramount	170
Varsity—Paramount	175
Wedding March, The—Paramount	167
While the City Sleeps—Metro-Goldwyn-Mayer	170
Wind, The—Metro-Goldwyn	179
Woman Disputed, The—United Artists	182
Woman from Moscow, The—Paramount	178

FIRST NATIONAL EXHIBITION VALUES

446 French Dressing—Jan. 15...	900,000B	900,000P
459 Sailor's Wives—Jan. 22....	800,000B	800,000P
437 The Moose—Jan. 29.....	1,300,000B	1,300,000P
445 The Whip Woman—Feb. 5...	900,000B	900,000P
426 The Chaser—Feb. 12.....	1,000,000B	1,000,000P
464 The Wagon Show—Feb. 19...	700,000B	700,000P
455 Flying Romeos—Feb. 26....	1,100,000B	1,100,000P
447 Mad Hour—Mar. 4.....	900,000B	900,000P
440 Burning Daylight—Mar. 11...	950,000B	950,000P
434 Heart Follies Girl—Mar. 18...	1,100,000B	1,100,000P
448 The Big Noise—Mar. 25....	900,000B	900,000P
451 Ladies' Night—Apr. 1.....	1,000,000B	1,000,000P
436 Little Shepherd—Apr. 8....	1,300,000B	1,300,000P
461 Chinatown Charlie—Apr. 15...	800,000B	800,000P
468 Canyon of Adventure—Apr. 22...	700,000B	700,000P
444 Harold Teen—Apr. 29.....	900,000B	900,000P
449 Lady Be Good—May 6.....	900,000B	900,000P
456 Vamping Venus—May 13.....	1,100,000B	1,100,000P
435 The Yellow Lily—May 20.....	1,100,000B	1,100,000P
442 The Hawk's Nest—May 27.....	950,000B	950,000P
467 The Upland Rider—June 3.....	700,000B	700,000P
460 Three Ring Marriage—June 10...	800,000B	800,000P
438 Wheel of Chance—June 17.....	1,300,000B	1,300,000P
429 Happiness Ahead—June 24.....	1,300,000B	1,300,000P
466 Code of the Scarlet—July 1.....	700,000B	700,000P
539 Good-Bye Kiss (S)—July 8.....	Special	
454 The Head Man—July 15.....	1,100,000B	1,100,000P
458 Heart to Heart—July 22.....	800,000B	800,000P
513 Strange Case of Capt. Ramper—July 29...	900,000B	900,000P
463 The Wright Idea—Aug. 5.....	800,000B	800,000P
427 Heart Trouble—Aug. 12.....	1,000,000B	1,000,000P
439 Out of the Ruins—Aug. 19.....	1,300,000B	1,300,000P
430 Oh Kay—Aug. 26.....	1,300,000B	1,300,000P

(1928-29 Season)

551 Butter and Egg Man—Sept. 2.....	Special
490 The Night Watch (S)—Sept. 9.....	1,100,000B
496 Waterfront (S)—Sept. 16.....	900,000B
502 Show Girl (S)—Sept. 23.....	1,000,000B
552 The Whip (S)—Sept. 30.....	Special
495 The Crash—Oct. 7.....	950,000B
507 Do Your Duty—Oct. 14.....	900,000B
538 Companionate Marriage—Oct. 21.....	Special
514 Glorious Trail—Oct. 28.....	700,000B
482 The Haunted House (S)—Nov. 4.....	800,000B
478 Outcast (S)—Nov. 11.....	1,300,000B
541 Lilac Time (S)—Nov. 18.....	Special
512 The Ware Case—Nov. 25.....	600,000B
489 Adoration (S)—Dec. 2.....	1,000,000B
484 Scarlet Seas (S)—Dec. 9.....	1,300,000B
504 Naughty Baby—Dec. 16.....	900,000B
515 Phantom City—Dec. 23.....	700,000B
543 The Barker (PT)—Dec. 30.....	Special

FEATURE RELEASE SCHEDULE

(Note: "S" by the side of a title means that the subject is synchronized with music only; "PT," that the characters talk in some of the scenes, the remainder being synchronized with music; and "AT" that the characters talk all the way through.)

Columbia Features
(1928-29 Season)

The Scarlet Lady—Lya de Putti-Don Alvarado....	Aug. 1
Court-Martial—Jack Holt-B. Compson.....	Aug. 12
Runaway Girls—S. Mason-A. Rankin (reset)....	Aug. 23
Street of Illusion—V. Valli-I. Keith.....	Sept. 3
Sinner's Parade—D. Revier-V. Varconi.....	Sept. 14
Driftwood—M. Day-D. Alvarado.....	Oct. 15
Stool Pigeon—O. Borden-C. Delaney.....	Oct. 25
Power of the Press—J. Ralston-D. Fairbanks, Jr....	Oct. 31
Nothing to Wear—J. Logan-T. Von Elts.....	Nov. 5
Submarine (Into the Depths)—Holt-Revier.....	Nov. 12
The Apache—M. Livingston-D. Alvarado.....	Nov. 19
The Lone Wolf's Daughter—B. Lytell-G. Olmstead.....	Nov. 30
Restless Youth—Day-Forbes.....	Dec. 11
The Younger Generation—Hersholt-Basquette.....	Dec. 22

Excellent Features

Manhattan Knights—Bedford-Miller (reset)....	Aug. 15
Life's Crossroads—G. Hulette-Wm. Conklin.....	Aug. 25
Power of the Press.....	Sept. 10
Dream Melody.....	Sept. 20
Confessions of a Wife.....	Sept. 30
Life's Crossroads—G. Hulette-W. Conklin (reset)....	Oct. 15
The Passion Song—N. Beery-G. Olmstead.....	Oct. 20
Broken Barriers.....	Nov. 1
Power of the Press.....	Nov. 10
Dream Melody.....	Nov. 20
Confessions of a Wife.....	Nov. 30

FBO Features
(1928-29 Season)

9221 Terror Mountain—Tom Tyler.....	Aug. 19
9211 The Perfect Crime (PT)—C. Brooks.....	Aug. 19
9201 Danger Street—W. Baxter-M. Sleeper.....	Aug. 26
9233 Captain Careless—Bob Steele.....	Aug. 26
9215 Gang War (PT)—O. Borden-J. Pickford....	Sept. 2
9291 Dog Law—Ranger.....	Sept. 2
9202 Stocks and Blondes—Logan-Gallagher.....	Sept. 9
9203 Charge of the Gauchos—Logan-Bushman.....	Sept. 16
9241 The Young Whirlwind—Buzz Barton.....	Sept. 16
9213 Hit of the Show (PT)—Olmstead-Brown.....	Sept. 23
9251 Son of the Golden West—Tom Mix.....	Oct. 1
9222 The Avenging Rider—Tom Tyler.....	Oct. 7
9214 The Circus Kid (PT)—Darro-Hanneford....	Oct. 7
9205 Sally's Shoulders—Wilson-Hackathorne....	Oct. 7
9209 Singapore Mutiny—E. Taylor-R. Ince.....	Oct. 14
9232 Lightning Speed—Bob Steele.....	Oct. 21
9242 Rough Ridin' Red—Buzz Barton.....	Nov. 4
9293 Tracked—Ranger.....	Nov. 4
9206 Sinners in Love—O. Borden-H. Gordon....	Nov. 4
9207 His Last Haul—S. Owen-T. Moore.....	Nov. 11

(Continued on other Side)

9212 Taxi 13 (PT)—Conklin-SleeperNov. 18
 9223 Tyrant of Red Gulch—Tom Tyler.....Nov. 25
 9252 King Cowboy—Tom Mix.....Nov. 26
 9208 Stolen Love—M. Day-O. MooreDec. 2
 9204 Tropic Madness—A. Q. NilssonDec. 9
 9216 Blockade (PT)—A. Q. NilssonDec. 16
 9231 Heading for Danger—Bob SteeleDec. 16
 9243 Orphan of the Sage—Buzz BartonDec. 23
 92017 Hey Rube—Trevor-OlmsteadDec. 23

Fox Features (1928-29 Season)

Street Angel (S)—Gaynor-Farrell (reset)Aug. 19
 The River Pirate (S)—McLaglen-Moran (reset) Aug. 26
 Four Sons (S)—Mann-Collyer-Hall (reset)Sept. 2
 Fazil (S)—Farrell-Nissen (reset)Sept. 9
 Win That Girl (S)—Rollins-CarolSept. 16
 Plastered in Paris (S)—Cohen-PennickSept. 23
 The Air Circus (PT)—Rollins-CarolSept. 30
 Dry Martini (S)—Astor-Moore-GranOct. 7
 Me, Gangster (S)—Terry-Collyer (reset).....Oct. 14
 Mother Machree (S)—Bennett-McLaglen.....Oct. 21
 Mother Knows Best (PT)—Bellamy-Dresser....Oct. 28
 Sunrise (S)—Gaynor-O'Brien.....Nov. 4
 Deadwood Coach—Tom Mix (re-issue)Nov. 4
 Romance of the Underworld (S)—Astor.....Nov. 11
 Prep and Pep (S)—Rollins-Drexel (reset)....Nov. 18
 Taking a Chance—Rex Bell-Lola Todd.....Nov. 18
 Riley, the Cop (S)—McDonald-Drexel-Rollins...Nov. 25
 The Red Dance (S)—Del Rio-Farrell.....Dec. 2
 Just Tony—Tom Mix (re-issue)Dec. 2
 Blindfold (The Case of Mary Brown)—Moran..Dec. 9
 Homesick—Sammy CohenDec. 16
 Red Wine (Husbands are Liars)—Collyer.....Dec. 23
 The Great White North (Lost in the Arctic)...Dec. 30

Metro-Goldwyn-Mayer Features (1928-29 Season)

835 Four Walls—Gilbert-CrawfordAug. 11
 829 The Cardboard Lover—Davies-GoudalAug. 25
 907 Our Dancing Daughters (S) Crawford-Brown..Sept. 1
 914 Excess Baggage (S)—Wm. Haines-J. Dunn ..Sept. 8
 942 Beyond the Sierras—Tim McCoySept. 15
 918 The Cameraman—B. Keaton (reset).....Sept. 15
 902 Beau Broadway—L. Cody (reset)Sept. 22
 938 While the City Sleeps (S)—Chapay (reset) ..Sept. 29
 949 Shadows of the Night—Flash.....Oct. 6
 911 Brotherly Love (S)—Dane-Arthur.....Oct. 13
 935 Show People (S)—M. Davies.....Oct. 20
 936 The Wind (S)—L. Gish.....Oct. 27
 811 Napoleon—French cast (reset).....Oct. 27
 901 The Baby Cyclone—Cody-Pringle.....Nov. 3
 821 White Shadows of the South Seas (S).....Nov. 10
 930 Masks of the Devil (S)—J. Gilbert (reset)..Nov. 17
 943 The Bushranger—Tim McCoy (reset)....Nov. 17
 939 West of Zanzibar (S)—Lon Chaney.....Nov. 24
 645 Dream of Love—J. CrawfordDec. 1
 951 Spies (German Prod)—Willy Fritsch.....Dec. 8
 937 A Woman of Affairs (S)—Gilbert-Garbo...Dec. 15
 826 A Lady of Chance (S)—N. Shearer.....Dec. 22
 950 Honeymoon—FlashDec. 29
 915 Alias Jimmy Valentine (PT) (reset).....Jan. 26

Paramount Features (1928-29 Season)

2801 Warming Up (S)—Dix-Arthur (reset)...Aug. 4
 2874 Forgotten Faces—Brook-Brian (reset) Aug. 11
 2819 Loves of an Actress (S) Negri (reset).....Aug. 18
 2835 Just Married—Hall-Taylor (reset).....Aug. 18
 2870 The Water Hole—J. Holt-Carroll (reset) ..Aug. 25
 2804 The First Kiss—Cooper-Wray.....Aug. 25
 2820 Sawdust Paradise (S)—Ralston-Bosworth..Sept. 1
 2852 The Patriot (S)—E. Jannings-L. Stone....Sept. 1
 2855 The Fleet's In—Clara Bow.....Sept. 15
 2862 Beggars of Life (S)—Beery (reset)Sept. 22
 2839 Model from Montmartre—Petrovich (reset)..Sept. 22
 2807 The Docks of N. Y.—Bancroft-Compson...Sept. 29
 2853 Wedding March (S)—Von Stroheim.....Oct. 6
 2810 Take Me Home—Bebe DanielsOct. 13
 2802 Moran of the Marines—R. Dix (reset)....Oct. 13
 2814 Varsity (PT)—C. Rogers—"Sophomore"....Oct. 27
 2820 Woman from Moscow (S)—Negri-Kerry....Nov. 3
 2838 Huntingtower (BRIT)—Sir Harry Lauder...Nov. 3
 2824 Avalanche—Jack Holt-Hill-Baclanova....Nov. 10
 2821 His Private Life—A. Menjou.....Nov. 17
 2866 Manhattan Cocktail (S)—Arlen-Carroll...Nov. 24
 2815 Someone to Love—Rogers-BrianDec. 1

2856 Three Weeks Ends—Clara BowDec. 8
 2811 What a Night—Bebe Daniels.....Dec. 22
 2859 Sins of the Fathers (PT)—E. Jannings...Dec. 29

Pathe Features (1928-29 Season)

963 Saddle Mates—W. WalesAug. 5
 9522 Tenth Avenue—Phyllis Haver.....Aug. 5
 9520 The Cop—William BoydAug. 19
 9521 The Red MarkAug. 26
 9671 The Black Ace Don Coleman.....Sept. 2
 9544 Man-Made Women—L. Joy-H. B. Warner..Sept. 9
 9519 Craig's Wife—I. Rich (reset).....Sept. 16
 9513 Power—Wm. Boyd.....Sept. 23
 9621 Burning Bridges—Harry Carey.....Sept. 30
 9511 The King of Kings (S)—Warner (reset)..Sept. 30
 9515 Celebrity—Robt. ArmstrongOct. 7
 9545 Captain Swagger (S)—Rod La Rocque.....Oct. 14
 9516 Show Folks (PT)—E. Quillan.....Oct. 21
 9546 Forbidden Love—L. Damita.....Oct. 28
 9661 Yellow Contraband—Leo Maloney.....Oct. 28
 9532 Marked Money (S)—Jr. Coghlan (reset)..Nov. 4
 9531 Sal of Singapore (PT)—P. Haver (re)..Nov. 11
 9514 Annapolis (PT)—Loff-BrownNov. 18
 9512 Love Over Night—R. La Roque (reset)....Nov. 25
 9518 Ned McCobb's Daughter (S)—I. Rich...Dec. 2
 9538 The Shady Lady (PT)—P. HaverDec. 16
 9622 The Border Patrol—Harry CareyDec. 23
 9517 The Spieler (PT)—A. Hale-R. Adoree...Dec. 30

Rayart Features (1928-29 Season)

The Divine Sinner—V. Reynolds-E. Hilliard....July
 Man From Headquarters—E. Roberts-C. Keefe..Aug. —
 Sweet Sixteen—Helen Foster-Gertrude Olmsted..Aug. —
 Sisters of Eve—B. Blythe-A. StewartSept. —
 The City of Purple Dreams—Fraser-Bedford..Sept. —
 Isle of Lost Men—T. Santschi-P. O'Leary.....Oct.
 Should a Girl Marry?—Helen Foster-D. Keith...Nov.
 Ships of the Night—J. Logan-A. Rankin.....Nov.
 The Black Pearl—L. Lee-Ray Hallor.....Dec.

Tiffany-Stahl Features (1928-29 Season)

The Toilers (S)—D. Fairbanks, Jr.-J. Ralston..Oct. 1
 The Naughty Dutchess—E. Southern.....Oct. 10
 The Power of Silence—B. Bennett-J. Westwood..Oct. 20
 The Cavalier (S)—R. Talmadge-B. Bedford..Nov. 1
 The Floating College—S. O'Neill-B. Collier...Nov. 10
 The Gun Runners—R. Cortez-N. Lane.....Nov. 20
 Marriage by Contract—Patsy Ruth Miller.....Dec. 1
 George Washington Cohen—Geo. Jessel.....Dec. 20

United Artists Features (1928-29 Season)

Tempest (S)—Barrymore-Horn (reset).....Aug. 25
 Two Lovers (S)—Colman-Banky (reset).....Sept. 7
 Battle of the Sexes (S)—Hersholt-Haver (reset)..Oct. 12
 Woman Disputed (S)—N. Talmadge.....Oct. 20
 Masquerade (Love Song) (PT)—Gondal-Velez..Nov.
 The Rescue (PT)—Colman-Damita.....Nov.
 Revenge (S)—Dolores Del Rio (reset).....Dec.
 Hell's Angels (S)—Lyon-NissenRoadshow
 The Awakening (S)—Banky (song film)....(Not Set)

Universal Features (1928-29 Season)

A5730 Uncle Tom's Cabin (S)—All Star.....Sept. 2
 A5732 Home, James—L. LaPlanteSept. 2
 A5734 Anybody Here Seen Kelly—T. Moore.....Sept. 9
 A5735 The Night Bird—DennySept. 16
 A359 Guardians of the Wild—Rex-J. Perrin...Sept. 16
 A5733 Foreign Legion—L. Stone-N. Kerry.....Sept. 23
 A5744 Grip of the Yukon—Marlowe-Bushman..Sept. 30
 A360 The Cloud Dodger—Al. WilsonSept. 30
 A5754 Clearing the Trail—GibsonOct. 7
 A5738 How to Handle Women—Tryon.....Oct. 14
 A365 Crimson Canyon—WellsOct. 14
 A5739 The Michigan Kid—Adoree-Nagel.....Oct. 21
 A5740 Freedom of the Press—Lewis Stone.....Oct. 28
 A378 The Price of Fear—Cody Thompson....Oct. 28
 A5741 Man Who Laughs (S)—Philbin-Veidt...Nov. 4
 A5736 Jazz Mad—Hersholt-Nixon.....Nov. 11
 A5743 The Danger Rider—GibsonNov. 18
 A363 Two Outlaws—Rex-PerrinNov. 18
 A5742 Phyllis of the Follies—M. Moore.....Nov. 25

A5750 The Gate Crasher—G. Tryon	Dec. 9
A5774 Melody of Love (AT)—Pigeon-Harris	Dec. 2
A369 The Hero of the Circus—Maciste	Dec. 2
A5745 Give and Take—Sidney-Hersholt	Dec. 9
A361 Beauty and Bullets—Wells	Dec. 16
A5745 Give and Take (PT)—Sidney-Hersholt	Dec. 23
A5756 Honeymoon Flats—Lewis-Gulliver	Dec. 30

Warner Bros. Features (1928-29 Season)

Lights of New York (PT)—All Star	July 21
218 State Street Sadie (PT) Nagel	Aug. 25
228 Women They Talk About (PT)—Rich	Sept. 8
227 Caught in the Fog (PT)—McAvoy-Nagel	Sept. 22
223 The Midnight Taxi (PT)—Moreno-Costello	Oct. 6
The Terror (AT)—McAvoy-E. E. Horton	Oct. 20
235 Land of the Silver Fox (PT)—Rin-Tin-Tin	Nov. 10
225 Beware of Bachelors (PT)—A. Ferris	Dec. 1
The Home Towners (AT)—R. Bennett	Dec. 15
On Trial (AT)—P. Frederick-B. Lytell	Dec. 29
The Singing Fool (AT)—Al Jolson	Jan. 1
230 The Little Wild Cat (PT)—Audrey Ferris	Jan. 5
-82 The Jazz Singer (PT)—Al Jolson	Not Set
186 Tenderloin (PT)—Dolores Costello	Not Set
183 The Lion and the Mouse (PT)—McAvoy	Not Set
185 Glorious Betsy (PT)—Dolores Costello	Not Set

ONE AND TWO REEL COMEDY RELEASE SCHEDULE Educational—One Reel (1928-29 Season)

Troubles Galore—Collins-Ruby McCoy	Aug. 26
Cook, Papa, Cook—Murdock-Hutton-Cameo	Sept. 9
Wife Trouble—Graves-Cameo	Sept. 23
The Lucky Duck—Dale-Cameo	Oct. 7
All in Fun—Mandy-Cameo	Oct. 21
Hay Wire—Stone-Dale-Cameo	Nov. 4
Bumping Along—Stone-Marshall-Cameo	Nov. 18
Playful Papas—Cameo-Mandy	Dec. 2
Murder Will Out—Dent-Cameo	Dec. 16
In the Morning—Dent-Cameo	Dec. 30

Educational—Two Reels

Wedded Blisters—Lupino-Boyd-Tuxedo	Aug. 26
Hot Luck—Big Boy-Juvenile	Sept. 2
Pirates Beware—Lupino Lane	Sept. 9
Girlies Behave—Drew-Ideal	Sept. 9
Call Your Shots—Al St. John-Mermaid	Sept. 16
Polar Perils—Monty Collins-Mermaid	Sept. 30
Companionate Service—Devore	Oct. 7
Come to Papa—Big Boy-Juvenile	Oct. 14
Stage Frights—Davis-Mermaid	Oct. 21
Making Whoopee—Tuxedo Comedy	Oct. 28
Fisticuffs—Lupino Lane	Oct. 28
The Quiet Worker—Drew-Ideal	Nov. 4
Hold That Monkey—Collins-Mermaid	Nov. 11
Misplaced Husbands—Dorothy Devore	Nov. 25
Hot or Cold—Al St. John-Mermaid	Dec. 2
Be My King—Lupino Lane	Dec. 9
Follow Teacher—Big Boy-Juvenile	Dec. 16
Wives Won't Weaken—Drew-Bradley-Ideal	Dec. 16
Social Prestige—Collins-Mermaid	Dec. 23

FBO—One Reel (1928-29 Season)

Believe It or Not—Curiosities	Sept. 26
Fishing and How—Curiosities	Oct. 10
Pets—Curiosities	Oct. 24
Facts or Fancies—Curiosities	Nov. 7
Cash & Carry—Curiosities	Nov. 21
Grab-Bay—Curiosities	Dec. 5

FBO—Two Reels

Jessie's James—Vaughn-Cooke	Aug. 26
The Wages of Synthetic—Vaughn-Cooke	Sept. 2
Mickey's Movies—Micky McGuire	Sept. 2
You Just Know She Dares 'Em—Vaughn-Cooke	Sept. 9
Horsefeathers—Barney Google-Davis-Hallum	Sept. 9
Fooling Casper—Toots and Casper-Hill-Duncan	Sept. 16
The Arabian Fights—Vaughn-Cooke	Sept. 16
Ruth Is Stranger Than Fiction—Vaughn-Cooke	Sept. 23
The Sweet Buy and Buy—Vaughn-Cooke	Sept. 30
Mickey's Rivals—Mickey McGuire	Sept. 30
Watch Your Pep—Vaughn-Cooke	Oct. 7
OK MNX—Barney Google	Oct. 7
Mild But She Satisfies—Caughn-Cooke	Oct. 14

What a Wife—Hill-Duncan	Oct. 14
What a Wife—Hill-Duncan	Oct. 14
That Wild Irish Pose—Vaughn-Cooke	Oct. 21
The Six Best Fellows—Vaughn-Cooke	Oct. 27
Mickey's Detective—Mickey McGuire	Oct. 28
The Naughty Forties—Vaughn-Cooke	Nov. 4
T-Bone Handicap—Barney Google	Nov. 4
Broadway Ladies—Vaughn-Cooke	Nov. 11
The Family Meal Ticket—Hill-Duncan	Nov. 11
Mickey's Athletes—Mickey McGuire	Nov. 25
Money Balks—Barney Google	Dec. 2
Casper's Week-End—Toots and Casper	Dec. 9
Mickey's Big Game Hunt—Mickey McGuire	Dec. 23
The Beef Steaks—Barney Google	Dec. 30

Fox—One Reel (1928-29 Season)

Snowbound—Varieties	Aug. 19
Neapolitan Days—Varieties	Sept. 2
Through Forest Aisles—Varieties	Sept. 16
Spanish Craftsmen—Varieties	Sept. 30
Northwest Corner	Oct. 14
Drifting Through Gascony	Oct. 28
Glories of the Evening	Nov. 11
Monument Valley	Nov. 25
Blue Grass and Blue Blood	Dec. 9
Storied Palestine	Dec. 23

Metro-Goldwyn-Mayer—One Reel (1928-29 Season)

The Eagle's Nest—Oddity	Aug. 18
The Sacred Baboon—Oddity	Sept. 1
Bits of Africa—Oddity	Sept. 15
Murder—Oddity	Sept. 29
World's Playground—Oddity	Oct. 13
Wives For Sale—Oddity	Oct. 27
Lonely Lapland—Oddity	Nov. 10
Savage Customs—Oddity	Nov. 24
Kisses Come High	Dec. 12
Strange Prayers	Dec. 22

Metro-Goldwyn-Mayer—Two Reels

Imagine My Embarrassment (S)—Chase	Sept. 1
Should Married Men Go Home—Laurel-Hardy	Sept. 8
That Night—Davidson-Morgan	Sept. 15
Growing Pains (S)—Gang	Sept. 22
Heart of Gen. Lee—Events	Sept. 22
Is Everybody Happy?—Charley Chase	Sept. 29
Early to Bed—Laurel-Hardy	Oct. 6
Do Gentlemen Snore—Stars	Oct. 13
The Ol' Gray House (S)—Gang	Oct. 20
All Parts—Chase	Oct. 27
Two Tars—Laurel-Hardy	Nov. 3
The Boy Friend—Stars	Nov. 10
Madame Dubarry—Events	Nov. 17
School Begins—Gang	Nov. 17
The Booster (S)—Gang	Nov. 24
Habeas Corpus (S)—Laurel-Hardy	Dec. 1
Feed Em and Weep—Byron-Garvin	Dec. 8
The Spanking Age (S)—Gang	Dec. 15
Chasing Husbands—Charley Chase	Dec. 22
We Faw Down (S)—Laurel-Hardy	Dec. 29

Paramount—One Reel (1928-29 Season)

News Reeling—Krazy Kat	Aug. 4
Koko's Chase—Inkwell Imps	Aug. 11
Baby Feud—Krazy Kat	Aug. 18
Koko Heaves Ho—Inkwell Imps	Aug. 25
Sea Sword—Krazy Kat	Sept. 1
Koko's Big Pull—Inkwell Imps	Sept. 8
Show Vote—Krazy Kat	Sept. 15
Koko Kleans Up—Inkwell Imps	Sept. 22
The Phantom Trail—Krazy Kat	Sept. 29
Koko's Parade—Inkwell Imps	Oct. 6
Come Easy, Go Slow—Krazy Kat	Oct. 13
Koko's Dog Gone—Inkwell Imps	Oct. 20
Beaches and Scream—Krazy Kat	Oct. 27
Koko in the Rough—Inkwell Imps	Nov. 3
Nicked Nags—Krazy Kat	Nov. 10
Koko's Magic—Inkwell Imps	Nov. 17
The Liar Bird—Krazy Kat	Nov. 24
Koko on the Track—Inkwell Imps	Dec. 1
Still Waters—Krazy Kat	Dec. 8
Koko's Act—Inkwell Imps	Dec. 15
Night Howls—Krazy Kat	Dec. 22
Koko's Courtship—Inkwell Imps	Dec. 29

Paramount—Two Reels

Walls Tell Tales—Stars and Authors.....	Aug. 4
Dizzy Diver (S)—Dooley (reset)	Aug. 11
Hot Scotch (S)—MacDuff (reset)	Aug. 18
Stop Kidding (S)—Vernon (reset)	Aug. 25
Skating Home—Chorus Girl	Sept. 1
Two Masters—Stars & Authors (reset).....	Sept. 8
Vacation Waves—Horton	Sept. 15
The Sock Exchange (S)—Vernon (set).....	Sept. 22
Oriental Hugs—Dooley	Sept. 29
Loose Change—MacDuff.....	Oct. 6
Picture My Astonishment—Chorus Girl.....	Oct. 13
Call Again—Horton (Reset).....	Oct. 20
The Dancing Town—Stars and Authors.....	Oct. 27
Hot Sparks—Vernon	Nov. 3
A She-Going Sailor—Dooley.....	Nov. 10
Lay on MacDuff—MacDuff.....	Nov. 17
Believe It or Not—Chorus Girl.....	Nov. 24
The Home Girl—Stars and Authors.....	Dec. 1
Footloose Wimmen—Vernon	Dec. 8
Gobs of Love—Dooley.....	Dec. 15
Should Scotchmen Marry?—MacDuff.....	Dec. 22
Nifty Numbers—Chorus Girl.....	Dec. 29

Pathe—Two Reels (1928-29 Season)

Girl from Nowhere—Sennett Girls.....	Aug. 5
His Unlucky Night—Sennett	Aug. 12
Smith's Restaurant—Smith Family	Aug. 19
The Chicken—Sennett	Aug. 26
His Royal Slynness—Harold Lloyd (re-issue).....	Sept. 2
Taxi for Two—Sennett-J. Cooper	Sept. 9
Caught in the Kitchen—Sennett-B. Bevan	Sept. 16
A Dumb Waiter—Sennett-J. Burke	Sept. 23
The Campus Carmen—Sennett Girls	Sept. 30
Soldier Man (3 reels)—Harry Langdon-Special..	Sept. 30
Motor Boat Mamas—Sennett	Sept. 30
No Picnic—Smitty-Dempsey.....	Oct. 7
The Bargain Hunt—Sennett De Luxe.....	Oct. 14
Smith's Catalina Rowboat Race.. Sennett-Smith...	Oct. 21
Taxi Scandal—Sennett-Cooper.....	Oct. 28

Hubby's Latest Alibi—Sennett-Bevan.....	Nov. 4
A Jim Jam Janitor—Sennett-Burke.....	Nov. 11
No Sale—Smitty-Hamilton.....	Nov. 18
The Campus Vamp—Sennett Girls.....	Nov. 25
Hubby's Week End Trip—Sennett.....	Dec. 2
The Burglar—Sennett-DeLuxe	Dec. 9
Camping Out—Smitty	Dec. 16
Taxi Beauties—Sennett-Cooper	Dec. 23
His New Stenographer—Sennett-Bevan.....	Dec. 30

Universal—One Reel (1928-29 Season)

Hollywood or Bust—Horace in Hollywood.....	Sept. 10
Mississippi Mud—Oswald Cartoon.....	Sept. 17
Panicky Pancakes—Oswald Cartoon.....	Oct. 1
Come on, Horace—Horace in Hollywood.....	Oct. 8
The Fiery Fireman—Oswald Cartoon.....	Oct. 15
Bull-Oney—Oswald Cartoon.....	Oct. 22
Fun in the Clouds—Horace in Hollywood.....	Nov. 5
Rocks and Socks—Oswald Cartoon.....	Nov. 12
A South Pole Flight—Oswald Cartoon.....	Nov. 19
A Woman's Man—Horace in Hollywood.....	Dec. 3

Universal—Two Reels

Newlyweds' Hard Luck—Jr. Jewel	Sept. 5
Rubber Necks—Stern Bros.	Sept. 12
Half Back Buster, Stern Bros.	Sept. 19
Just Wait—Stern Bros.	Sept. 26
Newlywed's Unwelcome—Jr. Jewel.....	Oct. 3
Look Pleasant—Stern Bros.	Oct. 10
Buster Trims Up—Stern Bros.	Oct. 17
Shooting the Bull—Stern Bros.	Oct. 24
Newlywed's Court Trouble—Jr. Jewel.....	Oct. 31
Cross Country Bunion Race—Stern Bros.	Nov. 7
Teacher's Pest—Stern Bros.	Nov. 14
Fish Stories—Stern Bros.	Nov. 21
Newlyweds Lose Snookums—Jh. Jewel.....	Nov. 28
All for Geraldine—Let George Do It.....	Dec. 5
Watch the Birdie—Buster Brown.....	Dec. 12
And Morning Came—Stern Bros.	Dec. 19

CHART OF RELEASE DAYS FOR ALL NEWS WEEKLIES

	Internat'l News		Pathe News		Fox News		Kinograms		Paramount News		M-G-M News	
	Even Rel.	Odd Rel.	Odd Rel.	Even Rel.	Even Rel.	Odd Rel.	Odd Rel.	Even Rel.	Odd Rel.	Even Rel.	Even Rel.	Odd Rel.
Albany	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Atlanta	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Mon. 2	Thur. 1	Mon. 2	Thur. 1
Boston	Sun. 1	Wed. 0	Mon. 2	Thur. 1	Sun. 1	Wed. 0	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sun. 1	Wed. 0
Buffalo	Sun. 1	Wed. 0	Sun. 1	Thur. 1	Sun. 1	Wed. 0	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Butte	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Tues. 3	Sat. 3	—	—	Tues. 3	Sat. 3	Wed. 4	Sat. 3
Charleston	Mon. 2	Thur. 1	—	—	Sun. 1	Thur. 1	—	—	—	—	Mon. 2	Thur. 1
Charlotte	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Mon. 2	Thur. 1	Mon. 2	Thur. 1
Chicago	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Wed. 0	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Cincinnati	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1
Cleveland	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
Columbus	—	—	—	—	—	—	—	—	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Dallas	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Tues. 3	Sat. 3	Wed. 4	Sat. 3	Wed. 4	Sat. 3
Denver	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Mon. 2	Sat. 3	Tues. 3	Sat. 3	Tues. 3	Sat. 3	Wed. 4	Sat. 3
Des Moines.....	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sun. 1	Thur. 1
Detroit	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
El Paso.....	—	—	—	—	Wed. 4	Sun. 4	—	—	—	—	—	—
Indianapolis	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Jacksonville	Mon. 2	Thur. 1	—	—	Mon. 2	Thur. 1	—	—	Sun. 1	Thur. 1	Mon. 2	Thur. 1
Kansas City.....	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Los Angeles.....	Tues. 3	Sat. 3	Sat. 7	Sun. 4	Wed. 4	Sun. 4	Wed. 4	Sat. 3	Tues. 3	Sat. 3	Wed. 4	Sat. 3
Memphis	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Mon. 2	Thur. 1	—	—	Mon. 2	Thur. 1	Mon. 2	Thur. 1
Milwaukee	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Minneapolis	Sun. 1	Wed. 0	Sun. 1	Sat. 3	Sun. 1	Wed. 0	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sun. 1	Thur. 1
New Haven.....	Sun. 1	Wed. 0	Mon. 2	Thur. 1	Sun. 1	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Thur. 1	Sat. 0	Wed. 0
New Orleans.....	Mon. 2	Thur. 1	Thur. 5	Fri. 2	Mon. 2	Thur. 1	Mon. 2	Fri. 2	Mon. 2	Thur. 1	Sun. 1	Thur. 1
New York.....	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
Oklahoma City....	Sun. 1	Thur. 1	Wed. 4	Sun. 4	Wed. 4	Sun. 4	Sun. 1	Thur. 1	Wed. 4	Sat. 3	Sun. 1	Thur. 1
Omaha	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1
Peoria	—	—	—	—	—	—	—	—	—	—	—	—
Philadelphia	Sat. 0	Wed. 0	Mon. 2	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Mon. 2	Thur. 1	Sat. 0	Wed. 0
Pittsburgh	Sun. 1	Thur. 1	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Sat. 0	Wed. 0	Mon. 2	Thur. 1	Sat. 0	Wed. 0
Portland, Ore.....	Wed. 4	Sat. 3	Sat. 7	Mon. 5	Wed. 4	Sat. 3	—	—	Wed. 4	Sun. 4	Wed. 4	Sat. 3
Portland, Me.....	Sun. 1	Thur. 1	—	—	—	—	—	—	Mon. 2	Thur. 1	Mon. 2	Thur. 1
St. Louis.....	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Salt Lake City....	Wed. 4	Sat. 3	Wed. 4	Sun. 4	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Tues. 3	Sat. 3	Wed. 4	Sat. 3
San Antonio.....	—	—	—	—	—	—	—	—	Wed. 4	Sat. 3	Wed. 4	Sat. 3
San Francisco.....	Wed. 4	Sat. 3	Sat. 7	Sun. 4	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Wed. 4	Sat. 3
Seattle	Wed. 4	Sat. 3	Mon. 2	Sat. 3	Tues. 3	Sat. 3	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Wed. 4	Sat. 3
Sioux Falls	Mon. 2	Thur. 1	—	—	Mon. 2	Thur. 1	—	—	Mon. 2	Thur. 1	—	—
Vancouver	Mon. 2	—	—	—	—	Wed. 0	—	—	—	—	—	—
Washington	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Wichita, Kans....	Mon. 2	Thur. 1	—	—	—	—	—	—	—	—	Mon. 2	Thur. 1
Wilkes Barre.....	—	—	—	—	—	—	—	—	—	—	Mon. 2	Thur. 1
Winnipeg	Mon. 2	—	—	—	—	Mon. 5	—	—	—	—	—	—

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions	12.00
Canada and Mexico..	12.00
England and New Zealand	14.50
Other Foreign Countries	16.50
25c. a Copy	

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, DECEMBER 8, 1928

No. 49

An Analysis of the Reformed Standard Contract—No. 2

The first article on the reformed contract was printed in the issue of November 10.

Before proceeding with the analysis of the remainder, however, let me make some additional comment on the clauses that have already been analyzed.

Clause 2: Under the terms and provisions of this clause, all contracted pictures must be delivered to the exhibitor within one year from the date fixed in this clause, or from the date determined by the play-date availability clause or by any other provision in the contract, subject, however, to the causes mentioned in Clause 16, and to the provisions about "roadshowing" a certain number of pictures on that contract, and of pictures not "generally released," as defined in subdivision "b" of this clause.

Accordingly, in case there is a definite play-date in Clause 2, or a play-date has been confirmed by the distributor after a request by the exhibitor, but such distributor failed to deliver the picture on such a play-date through an error on the part of some employe of his, he breaches the contract. In such an event, the exhibitor may (1) reject the picture and demand a refund of the monies he paid for it, and (2) may summon the distributor before the arbitration board, demanding damages. In the latter case, the arbitration board will decide, as is usual in such cases, what shall be done with the picture after determining the damage the exhibitor is entitled to.

The amount of damages an exhibitor is granted in such cases varies in the different zones. In Washington, D. C., the exhibitor is awarded three times the rental of the film.

The next question is: Is a breach on one picture a breach on the entire contract?

This question has depended on circumstances. If the picture so missed in the shipment happens to be of first importance and was the first one to be played from that contract, the exhibitor may raise the question that the entire contract has been breached. In case the exhibitor played several pictures of varied importance before the "miss-out," the practice of many arbitration boards has been to consider the contract breached only as regards to that particular picture, unless the breach was deliberate. In such an event, the exhibitor again may raise the question that the entire contract has been breached.

If a picture is dated but the distributor is not able to deliver it on such date on account of the fact that he did not make it, then the distributor will evoke the provisions in Clause 16 and in Clause 2, subdivision "b." These provisions ab-

solve the distributor but permit the exhibitor to demand that picture if made within two years. The exhibitor, however, is required to give to the distributor a written notice within thirty days after the expiration of the contract whether he wants such a picture or pictures when made or not. As said in the first article of this analysis, this is unjust, for the exhibitor is required to tell the distributor whether he wants or does not want pictures the distributor has not made, may not make before two years have expired, and perhaps will never make. The exhibitor should at least be given the option within a certain number of days after an availability notice has been sent to him when the pictures are made to notify the distributor whether he wants those pictures or not.

In connection with this, allow me to make one more observation. It has been the habit of the exchanges to sell their pictures to an exhibitor at a "lump" sum, and allocate the prices afterwards. The question often arises, when a picture has not been produced, whether the rental price, as allocated by the exchange, is the only charge that should be expunged from the distributor's books. Suppose, for example an exhibitor bought ten pictures at, say, \$2,000, or at an average of \$200 a picture, but the exchange allocated, say, \$50 on the picture that has not been and will not be produced, and \$350 on another, which has been produced. It has been the practice of many arbitration boards, in such cases, to expunge \$200, or one-tenth of the total price of the films, instead of only \$50.

Clause 6: This clause deals with "run" and "protection." In the past, when a new theatre was opened in an exhibitor's neighborhood, within the exhibitor's protection zone, the exchanges considered such theatre as not included in his "protection." Such exhibitor saw, therefore, films he bought as first run become second run because the new theatre offered more money and secured the films. This is now an impossibility, for the clause has been made to include any theatre that may be erected during the life of an exhibitor's contract in his "zone," or any theatre in that zone that was closed when the exhibitor signed his contract and was opened afterwards.

Clause 16: The first paragraph of this clause deals with the causes that may prevent an exhibitor's performance of the contract, for which he is absolved. One of the frequent causes is the entire destruction of his theatre by fire. In such an event, all the contracts are automatically canceled.

(Continued on last page)

"Craig's Wife" with Irene Rich*(Pathe; Sept. 16; 6,679 ft.; 66 to 95 min.)*

A well directed and acted picture; it nevertheless becomes boring as the action is somewhat slow; the spectator becomes tired of watching Miss Rich continuously straightening up the furniture and draperies even though she had several maids to do her work. Henpecked husbands may get a kick out of it and some housewives may learn the lesson that it is better to make a home more cheerful and livable if they wish to keep their family's love than to be too fussy. Warner Baxter (hero) is good as the henpecked husband who submits to his wife's tyranny until she unwittingly gets him into jail by her interfering and her lies. Miss Rich is exceedingly good as the nagging wife. Virginia Bradford and Carroll Nye supply the thin love interest.

The story revolves around a cold-hearted and mercenary wife of a wealthy man. Her passion was to have everyone do her bidding so that she could rule their lives. She dominated her husband and forced her young sister to give up her sweetheart because he was poor. When his wife had gone to the college to bring her sister back, her husband gets a night off and goes to play cards at a neighbor's house. He was the last one seen leaving the house and when the couple were found dead, the husband having killed his wife and himself because she was having an affair with another man, the hero is suspected, because his wife, in checking up his whereabouts, gave the clue to the police which led them to her home. She denied calling the number and her husband was forced by her to hide. He is found and put in jail for twenty-four hours and when the murder is cleared up, he returns home. He at last learns to hate his wife and her tyranny and so leaves her as did all the friends of the family and their servants.

The picture, adapted from George Kelly's successful stage play, was directed by William DeMille.

"Someone to Love" with Buddy Rogers and Mary Brian*(Paramount, Dec. 1; 6,323 ft.; 73 to 90 min.)*

A nice little story but nothing extraordinary. Its chief asset is the youthfulness of the principal players, which make the romance realistic, more than it would have been had these parts been given to a "grandfather" and to a "grandmother," as is often the case in moving pictures. It is about a nice-looking poor boy, who falls in love with a nicer-looking girl, daughter of a wealthy father. He did not know that she was rich. Later on, however, there is an estrangement between them, because the heroine and her father had thought that the hero was a fortune hunter. The truth of the matter was that the fortune hunter was one of his pals, who had entered into an agreement with another pal of theirs to split the "profits" should pal No. 2 succeed in finding a wealthy woman for a wife to pal No. 1. The notes pal No. 2 had kept fell into the hands of their employer, who turned them over to the heroine's father when the latter told him that he was going to make the hero his son-in-law. For a while things were kept that

way until the heroine overhears a conversation that convinces her of the hero's innocence of any fortune-hunting ideas. Then everything is settled satisfactorily. But not before there is an automobile accident, in which the hero, the heroine, and her father are injured, though not seriously.

Mary Brian and Charles Rogers do good work. William Austin again contributes his share of comedy. James Kirkwood is the heroine's father. Mary Alden, Jack Oakie, and Frank Reicher are in the cast. The story is by Alice Duer Miller; it was directed by F. Richard Jones.

"The Floating College" with Sally O'Neill and Buster Collier, Jr.*(Tiffany-Stahl; Nov. 10; 5,477 ft.; 63 to 78 min.)*

Not much! In fact, it is rather a silly picture, which may have an appeal only for flappers who may enjoy the contest between two sisters in their efforts to get their man, both being in love with the same fellow. Sally O'Neill (heroine) has pep but is miscast as a comedienne. Georgia Hale is good enough as the jealous elder sister, who does everything she can to take the hero away from her sister. She persuades her father to send the heroine away to a floating college and after she learns that the hero is to be swimming instructor on the same boat, she makes him hire a seaplane and send her to the college too, so that she might keep her sister out of mischief.

The hero, pursued by the two girls, rescues the heroine from being stranded in China when her sister locked her in the closet. He marries her.

Others in the cast are Harvey Clark and Georgie Harris. The picture was directed by George Crone from a story by Stuart Anthony.

You might get by with another good picture to bolster up the program.

"Avalanche" with Jack Holt*(Paramount; Nov. 10; 6,099 ft.; 70 to 87 min.)*

Fair! With the exception of the last reel, which contains a little hard riding on the part of Mr. Holt to save his wounded brother from being buried in the avalanche, it is rather dull. Based on a Zane Grey story, the plot revolves around the strong love an older brother has for his much younger brother and for whose sake he cheats at cards to raise money to send him to college. The only person who knew of his cheating was a dance-hall girl, who loved the gambler very much but who was jealous of the younger brother because the gambler threw her aside when the boy came back from school. In revenge she vamps him and causes trouble between them by running away with the boy and telling him that his brother was not the idol he thought he was, but really a crooked gambler. In the end, however, she admits that it was her love for the gambler and her consequent jealousy that made her tell such a lie.

Jack Holt gives his usual strong-man performance as the gambler who is honest until he needs the money very badly for the brother. Doris Hill is sweet as the postmistress who loved the young brother, with whom she was finally united. Bacanova makes a good dance hall vamp.

The picture was directed by Otto Brower.

"Domestic Meddlers" with Claire Windsor, and Lawrence Gray*(Tiffany-Stahl; Aug. 15; 5,362 ft.; 62 to 72 min.)*

Pretty good! It is well acted, and although the theme is old, it holds the spectator's interest because of the good work done by Lawrence Gray as the hero and Roy D'Arcy as the villain.

The story deals with a happily married couple, the husband very much in love with his beautiful wife, and a philandering batchelor (villain), who had become infatuated with the hero's wife. Under the influence of a few drinks, the hero is put to sleep when they are invited to dinner at the villain's apartment, and the villain and heroine go to a roof garden to dance, where they are seen by another fellow worker, who innocently enough tells the hero that he had seen his friend with a beautiful blonde and had intimated that their relations had been illicit. The husband's jealousy inflamed, he accepts another invitation to dine at the villain's home and pretends to get drunk again. He learns, however, that it is the villain who had made the advances to his wife and gives him a sound beating.

Mr. Gray does very good work in the situation when he is shown that his mind became so inflamed that he almost chokes his wife while she is asleep. The picture was directed by James Flood from the story by Wellyn Totman. Miss Windsor is charming and wears beautiful clothes. Jed Prouty is the fellow-worker.

Note: This picture was originally titled "Domestic Relations" and is the last picture on the 1927-1928 program.

"Caught in the Fog" (PT) with May McAvoy, Mack Swain and Conrad Nagel*(Warner Bros., Sept. 22; Synchr. 6,270 ft.; sil. 5,428 ft.)*

Fairly good. There is a comedy situation here and there, which sets everybody to laughing, and the spectator is held in fairly tense suspense; but there is nothing in it that will stand out, or that one will remember after leaving the theatre. Most of the comedy is contributed by that good actor Mack Swain; he takes the part of a "dumb" detective, who had been engaged to watch a yacht from being robbed by thieves; valuable jewels were locked in the safe.

The picture opens showing May McAvoy as a crook confederate, and Charles Gerrard, as a crook, boarding a yacht and entering the room where the safe was. The crook opens the safe, but they hear noises and are frightened. They make a get-away. The heroine, however, remains behind; and when the hero, really the son of the woman that owned the boat, opens the safe and finds the jewels there, she holds him up and takes them away from him. Before making a getaway, another pair of crooks enter and, posing as invited guests, remain. The hero pretends to be a butler, and the heroine a maid. The heroine had thought that the hero was a burglar.

From this point on things become complicated by the entry into the picture of Mack Swain and of Hugh Herbert, who pose as detectives. The

jewels appear and disappear, the spectator being made at times to lose track of who had them. In the end, however, things are disentangled by the appearance of the hero's mother and with the arrest by the detectives of the heroine's confederate, who was supposed to be a famous crook. It is revealed then who the hero is. The hero saves the heroine from embarrassment by assuring the police that she had been engaged by him to help him catch the crooks; the hero had fallen so deeply in love with her that he could not help doing who he did. He proposes and she accepts.

Miss McAvoy's voice registers very well this time. She acts and talks with grace. The talking situations are few and far between. Mr. Swain, too, talks in a few situations in addition to Mr. Nagel.

Jerome Kingston wrote the story. Howard Bretherton directed it.

"The Danger Rider" with Hoot Gibson*(Universal; Nov. 18; 5,367 ft.; 62 to 78 min.)*

A good Western; it is a mixture of comedy and thrills, and though the usual hard riding and happy ending are present, it is nevertheless entertaining for those who still like their Westerns. Hoot Gibson gives a good-natured breezy performance as the son of the prison warden, who liked scrapes and so posed as a desperate bandit on the ranch of the heroine. Eugenia Gilbert is pleasing as the heroine who trusted the worst looking bandits in her efforts to try to reform them, only to learn that they cannot be depended upon to do anything but rob and injure their victims. Reeves Eason is good as the bad man who exposed the hero when he came to the ranch and attempted to rob the heroine.

The picture was directed by Henry McRae from a story by Wynn James. Others in the cast are Monte Montague and King Zany.

LOOK OUT!

The demand for talking picture instruments and for non-synchronous instruments has caused many a fly-by-night concern to spring up.

This is no time for mistakes. Do not invest any money with any concern unless you are sure of its financial standing. No matter how eager you are to obtain an instrument, you should not do so unless you know that the instrument will do what its sellers say it will, and that the sellers will live up to their obligations with you.

In order to prevent any of the subscribers of HARRISON'S REPORTS from losing money, I have been making a thorough investigation of the claims of those who offer you such instruments. It takes time to get all the facts. But I am getting them little by little, and hope to be able to write another article very soon. In the meantime, wait. This paper will not mention any instrument on these pages unless it is satisfied that its backers are responsible persons. And do not take stock in any rumors as to what this, that or the other company will do. This paper will print the facts in all cases. And do not buy any stock in any of such concerns, unless you first investigate them.

That an exhibitor's contracts are canceled in case of the destruction of his theatre by fire is so plain that there should be no misunderstanding in this. And yet cases have come to the attention of this paper where exchanges brought exhibitors before the arbitration board and obtained judgments against them. I have one such case in my hands right now, which I have brought to the attention of the exchange's Home Office.

In case a theatre is destroyed by fire, the lease on the building is automatically canceled. If there had been no provision in the contract about the cancellation of all outstanding contracts in such a contingency, then the exhibitor would have been tied up with pictures he would have no place in which to show them. When a new theatre is erected on the same spot by the same exhibitor, it is the same as if the theatre were erected by a different man, for such theatre is built under an entirely new lease, on entirely new terms, even though the owner of the property is the same.

There should be no difference of opinion on this question. Yet, as said, there is, because the exchanges try to take advantage of every situation. And they do, when the exhibitor is ignorant of his rights in such matters, or when he has no one to advise him properly.

(To be continued)

A GEM ON SUBSTITUTIONS

David Barrist's Menkis again comes forward with a gem in "Brevity," an adjunct to all the publications of Messrs. Barrist & Goodwin. It is on substitutions. Here it is—a conversation between Menkis and an exchangeman:

MENKIS: "Are you the manager?"

MANAGER: "Yes; what can I do for you?"

MENKIS: "I got here a letter from your company telling me that 'Loved and Lost' has been changed to 'Western Hate' and that instead of John Berrymore the star will be Rin-Tin-Tin. Is that a matinee idol—Rin-Tin-Tin?"

MANAGER: "I am sorry, Mr. Menkis, but it is an unavalaible substitution."

MENKIS: "That's what you told me last week when you changed 'Lazy Love' to 'Machine Gun.' How about 'The Cossack's Revenge?'"

MANAGER: "We are not releasing that this year, but we've substituted instead 'Passion, Preferred.'"

MENKIS: "But the contract says 'a sweeping drama of the Russian steppes.' How can you sweep the steppes with a title like 'Passion, Preferred?' Well, anyhow, book me 'When Knights Were Bold.'"

MANAGER: "Er—there has been a slight substitution there."

MENKIS (*sarcastically*): "Of course! Natural!"

MANAGER: "The title is now 'Ten Knights In a Barroom.'"

MENKIS: "But I played that five years ago!"

MANAGER: "Not this. That's another picture."

MENKIS: "Well—Mary Miller is the star, so I guess I'll—"

MANAGER: "Oh, Mary Miller didn't make this one."

MENKIS: "Oh! Another substitution? And who is taking the place of Mary Miller?"

MANAGER: "Bull Montana."

MENKIS: "Mm! You ain't got maybe a nice Harold Lloyd picture acted by Little Farina? Or a Gloria Swanson made by Felix the cat? Tell me, did I buy from you pictures or did I buy substitutions? At the beginning of the season I signed up for your Famous Forty with titles, and stars, and directors, and scenery writers—"

MANAGER: "What?"

MENKIS: "Scenery writers."

MANAGER: "Oh, scenario writers."

MENKIS: "Yes—scenery writers—and the only thing which ain't been changed on that contract is the name of the printer."

MANAGER: "Substitutions are unavoidable, Mr. Menkis. You know that."

MENKIS: "Oh, is that so? Then I, too, would like to make some substitutions."

MANAGER: "What do you mean?"

MENKIS: "I would like to substitute for the price of \$200 on 'Single Wives,' which my contract calls for, a price of \$20. All the trade journals say it's a flop and we shouldn't play it."

MANAGER: "Now you are joking, Mr. Menkis—"

MENKIS: "I am, is it? I would also like to substitute for the week stand which my contract calls for on 'Maid or Mystery' a run of one day. The Strand broke all records for rotten business with it and pulled it off in the middle of the week."

MANAGER: "But you know—"

MENKIS: "And there is one other substitution I wish you should make. I wish you substitute for my theatre that of my competitor to play your pictures. The only time he fills his theatre is when I play one of your pictures. Substitutions is a good thing, but it should work both ways. What's applesauce for the goose is the same thing for his wife!"

CRUEL AND INHUMAN

Harry Richenback has been sending anonymous letters to exhibitors, warning them that they must call at 565 Fifth Avenue, Room 1019, New York City, implying that dire consequences will visit them unless they call at that address, using the key, which they usually find enclosed in the envelope. This is an advertising scheme for a certain picture.

The exploitation scheme Harry Richenback is using is the most cruel, most inhuman that I have ever heard of. While he has succeeded in frightening the exhibitors, he does not realize that at the same time he has frightened out of their minds the recipient's wife and children. One case came to my attention in which the exhibitor's wife fainted from fear lest her husband meet with foul play, and his children were kept huddled into the house for days until he was informed by this office that this was one of Harry Richenback's bright ideas. Only an unbalanced mind could have carried out such a fiendish exploitation scheme.

Unless the company that employs him orders him to stop this kind of exploitation, HARRISON'S REPORTS will find itself compelled to make a personal appeal to the exhibitors not to book the picture in question.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions	12.00
Canada and Mexico.....	12.00
England and New Zealand	14.50
Other Foreign Countries	16.50
25c. a Copy	

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, DECEMBER 15, 1928

No. 50

An Analysis of the Reformed Standard Contract—No. 3

Clause 18: This clause deals with arbitration.

The system of arbitration now in force in the moving picture industry is so lopsided, so unfair, that it is incomprehensible why you should have tolerated it at all. It robs you of your rights of trial by jury, the cornerstone of your liberties, and you have no recourse, for the reason that arbitration is not voluntary, you are being forced to accept it, if you want film. It is one of the things that made me lose confidence in the sincerity of Mr. Hays when he was delivering his fine speeches to the exhibitor gatherings, either in person or by proxy. He knows the system is wrong, for he is a lawyer. And he knows that it is unjust, for he is supposed to be wise enough to reason it out for himself. Yet he has never done anything to make it just and fair.

"The Golden Rule should be written at the top of every contract and it should be the most valuable clause in it! It is a clause that must be obeyed! It is non-cancellable! To live and let live is not enough! We must live and help live!"

These are the words of Mr. Hays himself. How heartily he must have laughed when he saw you take this slogan of his seriously! What he really had in mind is: "The Producer Rule should be written at the top of every contract and it should be the most valuable clause in it! It is a clause that you must obey! It is non-cancellable!" How else can we explain his refusal to heed the demand for arbitration reforms?

Attempts have been made to induce him to accept a fair arbitration procedure by permitting each litigant to choose his own arbitrator, and the two so selected to choose a third to preside over the trial, who will have the deciding vote. It is the system in force in other industries. But Mr. Hays would not listen to it, because it would put arbitration beyond his reach. He could not manipulate it then.

How can the present arbitration system deal justice? On the exchange's side, either the one or all the three arbitrators may have contractual relations with the exhibitor. They may fear to vote in accordance with their conscience lest they find themselves entangled with the same exhibitor later on; and if they should vote for the exhibitor, the exchangeman may get "even" with them at some other time by voting against them should any of them happen to have a case before the board. When an important precedent is to be established, a precedent that may cost the producers millions of dollars a year, they are bound to vote against the exhibitor, for the reason that there are only a few producers from whom they could get a job. Cases have been known where an exchangeman voted for the exhibitor and not only lost his job but he could not get another job from a distributor.

Even the exhibitor-arbitrators themselves often fear to vote for the exhibitor lest they be penalized by the exchanges. In an industry where a buyer finds it so difficult to get product at reasonable prices, even under the best of conditions, it is not surprising to see these buyers fear to vote against a seller.

That the exchangemen cannot vote in accordance with their consciences, with an exception here and there, was put clearly by Mr. H. M. Richey, at the time Michigan withdrew (in 1926) from arbitration when the exchangeman arbitrators voted against Charles Q. Carlise, of Saginaw, Michigan, who had brought Metro-Goldwyn before the board, demanding delivery of "The Big Parade," and afterwards, in private conversation with exhibitors, admitted that they could not vote for the exhibitor, even though they knew that he was right, because a big question was involved, and they feared lest they lose their jobs should they have voted in accordance with their consciences. Mr. Richey, in answer to a statement from the Hays organization, said the following among other things:

"There is a question in the minds of Michigan theatre owners whether the system of having three interested parties and three somewhat interested parties to controversies will ever constitute a thoroughly impartial arbitration board. For the fact cannot be denied that when Exchange Managers are called on to decide cases involving points which sooner or later will apply to themselves, there is a question whether they are not human and won't attempt to decide against the theatre owner. For they are a small compact group with all of the arbitrable problems, common problems to them, while the Exhibitor members, while still interested parties to, are part of a large unwieldy mass, with far less in common with the exhibitor who is a part of the controversy."

Mr. Steffes, President of the Exhibitors of the Northwest, too, put the matter clearly when he sent a letter to Mr. Hays, right after Michigan withdrew from arbitration, protesting against the practice of his office of sending instructions to the exchangemen arbitrators as to how they should vote in the cases that came up before them for consideration. In one paragraph, Mr. Steffes said:

"With three members of each board paid employees of a few closely knit distributing companies, whose interests are identical, you will readily understand that it is very difficult even under the best of conditions for them to give an unbiased decision. Such a decision becomes impossible when pressure or criticism is brought to bear upon them from their own ranks."

(Continued on last page)

"The Gate Crasher"—with Glenn Tryon and Patsy Ruth Miller

(Universal; Dec. 23; 5,597 ft.; 65 to 79 min.)

A good comedy. The situations are farcical and the action is fast due to the good direction of William Craft. The hero, a country boy, one of those smart-alecks that are very annoying at times, is impersonated well by Mr. Tryon.

This time Mr. Tryon is an embryo detective when he is not working at his job of billposter. With the aid of his own invention, he is able to trace lost or stolen jewelry. He meets the heroine when her car collides with his; he had been hanging a billpost advertisement of her where she was to act. She was with her press agent and a maid, who had stolen her jewels. But the hero recovers them and the press agent pretends it was a publicity stunt. So that she might get her train in time, the hero takes her in his dilapidated car to the train after a hair-raising race with the locomotive. Later the hero learns that the heroine's jewels had been stolen and he crashes his way into her apartment where he poses as a doctor when he had been put out by the press agent. He learns that the jewels, which the heroine had thought safe, were really gone. He crashes his way into the theatre where she is performing, and, disguised as a Roman soldier, causes a laugh-provoking disturbance by appearing in the show.

The picture winds up with a thrill when the hero, learning that the heroine was to go to a certain cabaret with \$25,000, where she would recover her jewels, disguises himself as a monkey man, as part of a circus act. After beating up the gang of crooks, when he had been trapped in a basement, he is almost licked when the heroine, who had summoned the police, rescues him.

Both Mr. Tryon and Miss Miller are excellent in the situation where Mr. Tryon breaks into the show. He is good also when he becomes a tight-rope walker and acrobat in his efforts to keep away the gang that had found out he had the jewels instead of the real crook. Miss Miller is good as the upstage star, who at first despised the hero on account of his impertinence and then fell in love with him. The picture is based on a story by Jack Foley.

"Phyllis of the Follies"—with Alice Day, Matt Moore, Lillyan Tashman and Edmund Burns

(Universal, Nov. 25; 5,907 ft.; 68 to 84 min.)

Pretty good for those who like this sort of pictures. It is a comedy-drama, revolving around the efforts of one friend (Edmund Burns), a bachelor, to win away from his friend (Matt Moore), a lawyer, his wife (Lillyan Tashman). There is comedy here and there, and the interest is kept fairly alive all the way through. The direction and acting are very good.

Matt Moore, a lawyer, had just secured a settlement for his wealthy client and friend (Edmund Burns) from a woman, who had brought a suit against him for breach of promise. He was lecturing him to be careful in the future, when the telephone rings. Burns answers it and, learning that it was Matt Moore's wife (Lillyan Tashman), carries on a "sweet" conversation with her. Matt Moore thinks that it was another of his friend's "sweethearts." Lillyan Tashman asks Burns to accept her dinner invitation for that night and to tell her husband about it. Burns, instead of telling Matt Moore about it, conceals it from him and sends him to Boston, ostensibly on a business deal, but really to have him out of the way. Lillyan Tashman, having seen through the scheme, invites Alice Day, her friend, single yet, to impersonate her identity, with the understanding that she, Lillyan Tashman, impersonate her, Alice Day. Things go along well until Matt Moore returns from Boston. Then the plot thickens, for the mix-up in identities causes much suspicion, until towards the end when everything is explained. When Edmund Burns finds himself outwitted, he is glad to propose to Alice Day, whom he had learned to love, and who, as he found out, loved him.

The story is by Arthur Greger. It was directed by Ernest Laemmle well.

"Behind the German Lines"

(Paramount-Ufa, rel. date not yet set; 8,254 ft.)

The chief feature of this film is the fact that it has been compiled by Germans, and that it shows the German side of the World war. As far as the picture itself is concerned, there are no incidents in it that have not been shown in America before, either in Newsweeklies, or in other films.

Most of the picture is authentic, the scenes having been taken during the war. But a great deal of it is an after-the-war reproduction, either at the studio, or in the streets of the cities in Germany. There is nothing extraordinary about the fighting scenes themselves, except when they are viewed with patriotic eyes.

The most interesting part of the picture generally is the showing of the German strategy; by means of diagrams, troops are shown moved by the German Command at crucial moments. They give a clear idea as to the troop movements and as to the results. The battle in Poland between the Germans and the Russians, where General Von Hindenburg had delivered a crushing defeat to the Russians, is shown very clearly. The first battle between the Germans and the French; the overrunning of Belgium by the Germans and the brave resistance the Belgians put up at Liege, are shown interestingly. The diagrams depict almost every important battle during the war. The picture is, in fact, one of diagrams, illustrated by actual or "re-enacted" war scenes.

Because of the fact that no picture has been presented from the German point of view so far, "Behind the German Lines" may take well. Even those not in sympathy with the German side of the war may wish to see it out of curiosity.

"The Border Patrol"—with Harry Carey

(Pathe, Dec. 23; 4,958 ft.; 57 to 79 min.) LL L

A fair program picture. This time Mr. Carey, a Texas Ranger, is detailed to detect at El Paso a band of counterfeiters. He succeeds, although the means the producer made him adopt looked childish at times. There is some suspense, and some human interest.

Finis Fox wrote the story; James P. Hogan directed it. Kathlyn Collins, Richard Tucker, James Neil, Phillip Smalley, and James Marcus are in the cast.

Note: In this age of talking pictures, it is a surprise that no producer has thought of putting Mr. Carey in talking pictures. He has had wide stage experience as an actor and as an author, and has fine delivery. The producer that will engage him will not have to waste his time training him for talking pictures; he is already trained.

"The Barker" (PT)—with Milton Sills

(First Nat., Dec. 30; Synchr. 8,500 ft; Sil. 7,095 ft.)

Very good, but not a Sunday-School picture. The two heroines are of lax morals, and the hero was living with one of them. Matters are complicated when the son of the hero (barker) induces his father to permit him to get a job in the circus, and falls in love with one of the heroines. The picture has been done exceedingly well. One, in fact, is made to feel as if seeing real people and not mere shadows. The characters talk here and there, in the important situations, and although the words are distinct and the talk good the reproduction is poor, manifestly because of poor recording. At times one can hardly catch what is said. This destroys the illusion somewhat, because one cannot conceive of strong and healthy persons speaking in so low a voice. The greatest interest is aroused when the father finds out that his son, whom he was worshipping had fallen in love with one of the circus girls (Dorothy Mackaill); she had been hired by the hero's "girl" (Betty Compson) to make love to him and to cause him to fall in love with her so that he might cause his father to turn against him (the son) and send him away; she (Betty Compson) thought that Milton Sills was depriving her of the attention she deserved because of his son. There is a scene between father and son when the father tells the son that the woman he had fallen in love with was a prostitute that grips the spectator. Dorothy Mackaill wins the spectator's sympathy when she falls in real love with Douglas Fairbanks, Jr., who does excellent work as the hero's young son. His voice registers well, although it is not brought out so clearly because, as said, of poor recording. It is manifest that the microphone was not placed opposite him while he was speaking.

The entertaining qualities "The Barker" possesses have been imparted to it by good direction, and by good acting as well as good talking. The story itself is not too strong, and the atmosphere not so cheering. The plot has been founded on the Kenyon Nicholson stage drama; it was directed by George Fitzmaurice most skillfully. Sylvia Ashton, George Cooper, John Irwin, S. S. Simon, and One-Eye Connolly are in the cast.

It is a very good entertainment for adults.

"The Viking" with a Special Cast

(M-G-M., no rel. date set; 8,508 ft.; 98 to 121 min.)

This is all in technicolor. It is the most beautiful picture that has ever been seen on the screen. And the direction is up to the standard of its beauty. So is the acting. Whether, however, it will appeal to the rank and file of picturegoers, is another question. It seems to be rather doubtful. The story depicts the pre-Columbus discovery of America by the Vikings, a race of people that hailed from Scandinavia. It gives the history of this people, and how they came about to undertake a trip to the West for the purpose of discovering land. Up to that time people thought that several miles West of Greenland there was the edge of the world, where the water was pouring down into space, and that near it there were fierce creatures.

The story starts showing the sturdy race of the Viking raiding coast towns in Northern Europe and carrying away women and booty. In one of the expeditions the young hero, living peacefully with his mother and other relatives, is carried away North and made a slave. The heroine, ward of the chief of the Viking, sees him and is attracted by his manliness. At first she humiliates him. But when she sees him mistreated by one of her guardian's lieutenants, she intervenes and saves him from punishment. The lieutenant (villain) bears malice against the hero, because the heroine had been showing him favors.

The Viking leader decides to take his followers and pay a visit to his father in Greenland. There is a fight between the men of the Viking leader and his father and his men, because the Viking leader and many of his followers had accepted the Christian religion. The leader takes grain and other provisions forcibly from his father and loads his ship, and then starts West in search of new land. The heroine masquerades as a man and enters the ship so as to be near the hero, despite the leader's orders to the contrary. On the way the superstitious crew is incited to revolt by the villain, who was jealous of the hero, with tales of fearful beings inhabiting the region further west, and the danger of being thrown over the edge of the world. But the leader subdues them, until they reach new land, where they settle.

The screen play by Jack Cunningham has been founded on the novel, "Leif the Lucky," by Ottlie A. Liljencrantz. It has been directed most artistically by R. William Neil. Donald Crisp, Pauline Starke, LeRoy Mason, Anders Randolph, Roy Stewart, Julia Swyne Gordon and others are in the cast.

As a historical document, "The Viking" stands supreme; as an entertainment, it should appeal chiefly to the cultured picturegoers.

"Riley the Cop"—with Farrell McDonald

(Fox; Nov. 25; synchron. 6,132 ft.; sil. 5,993 ft.)

It is too bad that such good acting on the part of Mr. McDonald and Louise Fazenda and such good directing by John Ford should be wasted on a piece of nonsense that is not fit even for neighborhood programs. The picture is synchronized with music. Occasionally children at play are heard to shout and yodelers as cabaret entertainers in Germany are heard to sing. The picture is centered around "one of the finest," as the police in New York are often called. But he is a sorry example of one if the way he performs his duties are any criterion. It is unlikely that a cop, twenty years on the force, would play baseball in the city streets with a gang of youngsters, or would sneak into a basement of a home to eat, and when he would see that his sergeant had been there first, would break a win-

dow to get him outside. His good quality seemed to be his kindness and gentleness with the children and older residents whose love and affections he had won. But his continuous state of intoxication while he was abroad to bring back a prisoner is anything but elevating.

Miss Fazenda and Mr. McDonald contribute a laugh here and there in their efforts to find each other when they are separated. David Rollins (hero), as the supposed embezzler, is likeable though he has very little to do. Neither has Nancy Drexel, the heroine, sweetheart of the hero, who was abroad, and whom he followed.

The story revolves around the efforts of a cop who had been given a special job to do as a reward for his fine service, to bring back from Germany the hero, whom he had known from childhood, had been accused of having robbed the bakery where he worked, when the books were found short. While in Germany the cop meets a waitress. Each falls in love with the other. Because he was recognized as a cop wherever he went by his big feet, he was entertained magnificently by the police of Germany and France so much that he was hardly ever sober. His prisoner had to help him get back to France in time to get the boat home and the waitress pursued him. Before they sailed, the hero learned that they had found the real thief and he met his sweetheart on board returning home. When the cop returned, he married the waitress who turned out to be the sister of his side-partner, a German-American cop, with whom he had been continually having arguments.

Not a substitution.

"Revenge" (S)—with Dolores Del Rio

(U. Art. Nov. 3; sil., 6,460; synchron., 6,541 ft.)

The hero, a gypsy bandit, whose specialty was to swoop down upon bridal celebrations and to carry away the brides, giving them to his men, once in a while keeping one for himself, cuts the heroine's que off and carries it away with him; he had become fascinated with her. The heroine, feeling disgraced, as all gypsy girls feel when any one dares touch their precious hair, decides on revenge; she wasn't that kind of girl to stand for such a humiliation. Two or three times she makes an attempt to stab the hero with a stiletto, but the hero disarms her with his smile, and with his strong clutch. She then begins to realize that she loves him; her nature despises men that would do her bidding, and as the hero wasn't that kind of man, she naturally fell in love with him.

If you can feel interest in this sort of story, or, better yet, if you think your customers will feel interest in it, book it; at the Rivoli, where it is now playing, people giggled at the nonsense shown. Many of them walked out of the theatre before the picture was over. It is too boring for any one to bear it. The sound effects are "terrible."

The story is by Konrad Bercovici. It unfolds in a town on the border between Austria and Hungary. The direction is by Edwin Carewe. James Marcus, Rita Carewe, Sose Crespo and Sam Appel are in the cast.

"Three Week Ends"—with Clara Bow

(Paramount; Dec. 8; 5,962 ft.; 69 to 85 min.)

Fair. The story, is too thin, despite the good acting of Miss Bow and the good directing of Clarence Badger, to be very entertaining although Miss Bow's fans will like her as she appears in more or less dress and undress while she is trying to get her man. Neil Hamilton is attractive as the poor insurance agent that posed as a wealthy man, misleading the heroine; she was shocked and disappointed when she learned that he wasn't rich. Harrison Ford is good as a philandering millionaire who was engaged to a sedate society girl but who threw parties for chorus girls when he happened to become infatuated with one of them. The titles as well as a few of the situations cause some scattered laughs. Miss Bow is the whole picture and she is excellent when she is the madcap chorine out for a good time, and when she is crying as the misunderstood sweetheart, who despite her hatred for poverty was willing to marry the hero and live in a humble home with him.

Others in the cast are Lucille Powers, Jack Raymond, Guy Oliver and Edythe Chapman. The story was written by Elinor Glyn and was adapted by Sam Mintz, Percy Heath and Louis Long.

THE ARTICLE ON INDEPENDENT TALKING PICTURE INSTRUMENTS

The article on independent talking picture instruments will be printed next week.

The conditions that existed in Michigan and in Minnesota in the Fall of 1926 still exist all over the country. Michigan and Minnesota were placated by certain reforms, but those reforms did not apply to other parts of the country. And even if they had been applied over the rest of the country, the results would not have been better, for the system of choosing as arbitrators persons that are interested in the case, directly or indirectly, is fundamentally wrong, and no reforms can correct it. What is needed is a radical change, a change that will make it possible for each party to select his own arbitrator, the two arbitrators thus selected to choose a third one, to preside over the trial. Only then may we hope to have arbitration proceedings that will be free from bias.

But in spite of the fact that arbitration in this industry is lopsided, it is in the contract and, unless you are willing to take legal steps to protect yourself against its injustices, you have to submit to it, if you should want to keep running your theatre. For this reason I shall endeavor to make clear to you the few rights you have under its rules.

RULE 1

Paragraph 1: The exhibitor-arbitrators must not be connected either directly or indirectly with producers or distributors in any business enterprise. When you learn that they are so connected you have the right to challenge them. When you find that a decision has been rendered against you by a board which had one exhibitor, or more, interested with a producer or distributor in some business enterprise, you can apply to the courts for an order vacating the award.

Paragraph 2: The exhibitor-arbitrators are to be selected by the organization of exhibitors. In case there is no organization in that zone, or the organization fails to appoint such arbitrators, then the President of the Film Board of Trade shall request the President of the Chamber of Commerce, or the Mayor, or other executive of that city, or the President of the American arbitration Association, to appoint among the independent exhibitors of that zone arbitrators and alternates.

I understand that in Atlanta, Georgia, where there is no exhibitor organization, this procedure is not followed. Instead, the President of the Film Board of Trade appoints the exhibitor-arbitrators himself, and his organization pays them ten dollars for every sitting. If my information is accurate, then this makes the entire proceedings illegal. Any awards rendered with a board the exhibitor-members of which have been paid a stipend can be vacated by the courts, no matter how long ago they were rendered, so long as they are within the statute of limitations. It is a disgraceful condition, made possible only by the "rotteness" of the procedure that is now in force.

Paragraph 3: This paragraph specifies that the arbitrators shall serve for one month only, or until relieved of their duties. In Connecticut, before the expose of the Hadelman case, there were exhibitor arbitrators on the board that had served for three years or more. The organization during those days was in the hands of exhibitors who were solicitous not of the exhibitor interests but of the producer interests. An exhibitor-arbitrator that sits on the board for an unreasonable length of time becomes so set in his ideas that he cannot deal justice impartially, particularly when one bears in mind

that such exhibitor must deal with the exchange men year in and year out, buying their product. The only explanation that we can give as to the act of seeing an exhibitor-arbitrator sitting for years and years as an arbitrator is his desire to get favors from the exchanges, in return for favors he grants them while trying their cases. And this thing is possible only because each litigant is not permitted to choose his own arbitrator, as is the logical thing to do.

Paragraph 5: This gives the right to a litigant to challenge no more than two of the arbitrators on each side. But let this not stop you from challenging all the exhibitor-arbitrators, if you should happen to have documentary or other convincing evidence that they are connected with distributors or producers, directly or indirectly. Should your challenge be disregarded, you can apply to the courts for relief. Any judge will vacate an award so rendered.

(To be continued)

1928-29 SUBSTITUTIONS—ARTICLE 1

In the previous seasons, you found it necessary to fight a hard battle to get rid of substitute pictures, for the exchanges could find one million and one excuses in an effort to convince you either that the pictures they were offering you were not substitutions, or that they had the right to change the story, or the star, or the director.

Some of you succeeded in escaping the punishment of being forced to play pictures you had not contracted for; others of you were compelled to play them, just because your arbitration board, which is supposed to render decisions in accordance with equity and justice, so decreed.

But there is no fear that you will be compelled to accept substitutes this year; the contract is extremely specific on substitutions, and no arbitration board will dare render an award differently.

* * *

Fox 1928-1929 Substitutions

DRY MARTINI (26): The story of the finished product is the same as that promised, as is the director, but the cast is not; June Collyer, Edmund Lowe and Barry Norton were promised, but Mary Astor, Matt Moore and Albert Gran are being delivered. Since there has been a substitution of stars, you are not obligated to accept it, unless you have signed a Rider permitting the Fox Corporation to make the substitution, or you signed the contract after the substitutions were made.

ME, GANGSTER (24): Star substitutions; Lois Moran, Nick Stuart, and Ben Bard were promised, but June Collyer, Don Terry and Anders Randolph are being delivered.

MOTHER MACHREE (49): O. K. Those who bought this picture on their 1926-27 contracts and did not sign a Rider are entitled to it.

ROMANCE OF THE UNDERWORLD (1): Star substitution; Edmund Lowe, Ivan Linow, Nancy Drexel were promised, but Mary Astor, Robert Elliot, Ben Bard and John Boles are being delivered. The story is the same.

PREP AND PEP (6): There has been a minor change in the cast in that David Rollins and Sally Phipps were promised and David Rollins and Nancy Drexel are being delivered.

(To be continued)

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions.....	12.00
Canada and Mexico.....	12.00
England and New Zealand.....	14.50
Other Foreign Countries.....	16.50
25c. a Copy	

1440 BROADWAY

New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, DECEMBER 22, 1928

No. 51

Facts About Talking Pictures and Instruments—No. 10

I went to the Roxy the other day to see and hear the picture program that consisted of all-talk Fox shorts.

There were no seats to be had in the orchestra; so I bought a seat in the balcony.

But the only seats that were vacant in that part of the house were in the rear and in the sides.

I took a seat in the rear first, but as I could not hear well I moved further down in the middle of the balcony with the hope of finding a seat there. As I could not, I took a seat near the wall.

From that point I tried to hear what the characters were saying. But I soon gave up the effort in despair; I could not hear as well as I did from the seat in the rear. Now and then I could catch a word, and sometimes I could guess a phrase from the action, but not a full line of talk.

I did not know whether the fault lay in the sound recording on the film, in the sound reproducing apparatus used, or in the acoustics of the house. So, in order for me to find out, I went to an early performance the following day and took a seat in the orchestra.

From that point, I could understand every word the actors spoke, although the tone quality was not of the best. I then realized that the fault for my inability to hear in the balcony lay not in the recording, but either in the acoustics of the house or in the sound projection apparatus used.

Was it the acoustics?

Though it is difficult even under the best of conditions to make a theatre of the size of the Roxy "alive" to sound in all parts of the house, with a proper sound projection apparatus the "dead" spots can be reduced to the minimum and, under certain conditions, even eliminated altogether. But the horn system, which is used by the Roxy, is not the kind that will bring about such a result, for the reason that the horn has directional properties; it directs the sound to the spot to which it is pointed, in a sort of beam. The further away from that beam one sits the more difficult he finds it to hear the actors. To cover all parts of the house with sound beams it will require a large number of horns. And this is impracticable for a theatre that has to have the stage cleared in a short space of time for other attractions.

With the cone system of sound projection, unless the acoustics of the house are extremely bad, there need be no "dead" spots, for the reason that cones, of which one can, within reason, use as many as he wants to for an installation, being mounted at various angles, send the sound to all parts of the house, not in "restricted" beams, as is the case with the horns, but in wide waves. Thus a better distribution of sound is obtained.

So in making up your mind what talking picture instrument to buy, insist that correctly mounted cone sound projectors are supplied with it; and see that they are mounted at varying angles, so as to distribute the sound in all parts of the house evenly.

In addition to better sound distribution, the cone system gives, as I have said in other articles of this series, better tone quality. The horn modifies and even distorts the sound waves while they pass through it. You are well aware of the fact that the voice can under no circumstances be made to sound natural through a megaphone. And the horn is a megaphone. On the other hand the cones, being so mounted as to be free to move in and out, like pistons, send forth the sound waves much more nearly as they are created at the source.

That the horn cannot give tone quality as good as the cone was proved to me the other day beyond any doubt: The Columbia Phonograph Company gave me, at my request, another demonstration of their non-synchronous instrument, which uses, as I have already informed you, the cone system of sound projection. The cones are twelve

inches in diameter, the same size as those used by the RCA Photophone system. The tone quality was so good that it seemed to me as if I were hearing the original orchestra. In "Damnation of Faust," Rakoczy March, I picked out tympanies, bass violins, horn bass, bass drums, and drums clearly,—low frequency sounds that I have vainly sought to recognize in the Vitaphone photo-orchestra. I took that record with me and went to the branch office of the Platter Cabinet Company, manufacturers of the Phototone non-synchronous instrument, and had it played over the Phototone, which at that moment happened to be connected to a horn, the kind they used to supply with their instrument before they adopted the nine-inch cone, mounted on a bell-shaped baffle board. The inferiority in the tone quality was so pronounced that it was almost sickening. Most of the bass sounds were reduced to the point of inaudibility. All the music was pitifully muffled. There was no similarity between the Rakoczy March that I heard over the Phototone instrument and the Rakoczy March that I heard over the Columbia instrument.

The cone has also a greater range of high as well as of low frequency sounds. In "The Lion's Roar," the two-reel all-talk Mack Sennett comedy, which I heard at a demonstration at the RCA Photophone headquarters, I heard a young woman reach heights in the musical scale that could not have been reproduced by the horn with the same naturalness, the same faithfulness, if at all. It seemed as if no "coloring" of the original voice was lost.

Some of the talking picture instruments of independent manufacture employ cones (nine inches in diameter), well enough, but they have each cone mounted on a baffle board, in the shape of a box, with the cone mounted opposite the open end. Though cones so mounted give a better tone quality than the horns, such mounting is scientifically incorrect, for the sound waves are distorted just the same. There is a cavity back of the cone so mounted, which is detrimental to good sound reproduction, for the reason that a cavity always introduces undesirable resonances. Have some one talk into a soap box or any kind of box and you will notice how unnatural his voice sounds. Put a sea shell next to your ear and again you will notice that a murmuring sound is emphasized by the shell as it would be by any other cavity. The cone must not have a cavity close to it; it must be so mounted as to be free and clear to send forth the sound waves unimpeded. There must not be near it any medium that may create resonances. Even the bell-shaped baffle board that is used by most non-synchronous instruments is bad. The desire of the designers of these sound projectors is to direct the various sound waves into the auditorium so as to get a greater volume of sound. But in so directing them, the baffle board also distorts somewhat their proportions by introducing undesirable resonances.

* * *

One other factor that you must, in making up your mind to fit your house for talking pictures, take into consideration is the acoustics of your theatre. There are some theatres whose acoustics are very good; there are others whose acoustics are fair; but there are some whose acoustics are very bad.

When the acoustics of a theatre are bad, nothing can be done about it. It will be just throwing so much money away if an exhibitor were to fit such theatre for talking pictures. Long, narrow theatres with hard walls and hard seats belong in this class. But when the acoustics are fair, the theatre can be doctored up so that they may be improved. But only an expert can tell whether they are good, fair, or bad. And the sound experts are so few that they are a

(Continued on last page)

**"Geraldine" (PT)—with Eddie Quillan,
Marion Nixon, Albert Gran and
Gaston Glass**

(*Pathe*, Jan. 6; *Silent*, 5,959 ft.; 69 to 85 min.)

The action in the first two reels is charming. It is a light comedy-romance, in which Eddie Quillan, this new screen recruit, does excellent light work, supported by the good little actress, Marion Nixon. And had the same mood been maintained all the way through, "Geraldine" would, no doubt, have taken its place among the charming entertainments of the season. But in the third reel the action switches to a high-class cabaret, where carousing and drinking goes on. And the charm of the story is ruined. There is no pleasure in having the heroine say, by means of a subtitle, that the ginger ale into which the villain had poured whisky (a fact she was unaware of) tasted nice. This does not make the picture more dramatic, and causes more people to condemn motion pictures. The drinking scenes in the cabaret in general are in no way entertaining, and are not edifying. The police court, where the young hero makes a sacrifice so as to save the heroine from going to jail and from thus hurting her reputation—and this occurs towards the close of the picture—directs somewhat an appeal to the emotions, but it cannot offset the unpleasant feeling left in the spectator by the drinking scenes in the cabaret.

The story is by Booth Tarkington. Mr. Tarkington wrote charming novels but this one must have been changed considerably. Albert Gran and Gaston Glass are in the cast. The picture has been directed by Melville Brown. There is no fault to be found with the direction.

If your patrons do not object to the drinking scenes, they may get fairly good satisfaction out of it.

Note: The characters are supposed to talk in some parts of the picture. As it was shown silent in the projection room, it is not known where the talk is. And none in *Pathe* knows it yet, because the information has not been received from the Coast.

"Adoration" (S)—with Billie Dove

(*First Nat.*, Dec. 2; *Syn.* 6,609 ft.; *Sil.* 6,370 ft.)

Unless royalty stories, which have been supplied to Miss Dove for several pictures, have surfeited your custom, "Adoration" and Billie Dove should give them very good satisfaction, for there is real heart appeal in it. Such appeal comes from the fact that Miss Dove shows loyalty to the man she loved; reduced to poverty, and having fled from Russia to Paris after the revolution to save her life, she did not cease hoping to be reunited with her husband some day. The scenes that show the two meeting face to face in Paris, almost in rags and being compelled to do menial work for a living, are powerful. They are deeply pathetic. But the Prince could have been made less jealous and more human, and the picture would have profited thereby, for he would have awakened twice as much sympathy. Miss Dove looks and acts as a Princess; she is charming. Antonio Moreno does well as the jealous husband. Emil Chautard, too, awakens much sympathetic interest; in Russia he was a great General, friend of the Prince and of the Princess and close to the Czar; in Paris, he was shown as making a living by shining shoes. It is

the first time that this after-the-Revolution phase of the life of the Russian aristocracy has been touched. Of course, the way the Russian aristocrats had treated the common people before the war does not do them credit; but their sufferings as a result of the Revolution appeal to the human emotions. The direction is by Frank Lloyd. It was supervised by Ned Marin.

The story has been written by Lajos Biro. It starts in St. Petersburg, now Lenigrad, during the world war, and shifts to Paris immediately after the Revolution. On the day of the flight, the hero had seen a woman, who he thought was his wife, enter the home of the villain. He is beaten by the revolutionists but succeeds escaping with his life. In Paris he broods over the supposed infidelity of his wife, and takes to drink. He neglects himself. The Princess eventually learns where he is and goes to him. But thinking her guilty of indiscretion he repulses her. The heroine, however, eventually convinces him that she was innocent of any wrong-doing; it comes to light that the woman the hero had taken for the heroine was her maid, who had put on her coat.

**"Show Folks" (PT)—with Eddie Quillan
and Lina Basquette**

(*Pathe*, Oct. 21; *Silent*, 6,581 ft.; *Synch.* 6,466 ft.)

It is a story of back-stage life, but it is so well done that it exerts a powerful appeal to the emotions of pathos. It does not usher itself with trumpets but it grows on one as the story unfolds. The most powerful part of the picture is the last thousand feet, where the characters talk. It will be hardly possible for any one to conceal his emotions in that part. And it is not maudlin; the sentiment is healthy. The human interest in those situations is caused by the fact that the heroine throws down a brilliant stage career for the man she loved, even though that man was an egotist and felt that his success as well as the success of the heroine had been owed to his efforts, whereas it was the heroine that had brought it about. But the heroine shows unselfishness and steadfastness, virtues that make a character lovable on the screen, just as they make him in real life. The scene that shows the heroine rehearsing as a star in a dramatic production, stealing away and going to the hero, who was playing in vaudeville, to take her old part in his act, so that he might not fail, will bring tears to the eyes of tender-hearted persons. Her turning of a deaf ear to the entreaties of the theatrical producer to stay in his show, telling her how much he loved her, and offering to marry her, is another tenderly pathetic situation.

The plot has been founded on a story by Philip Dunning. It was directed by Paul L. Stein with skill. Eddie Quillan is an excellent hero; he impersonates the role of an egotistical actor with realism and conviction. Miss Basquette is surprisingly good. The two make a very good pair. And their voices register well. Robert Armstrong is the theatrical producer. His voice, too, registers well. Bessie Barriscale, as the old actress, down and out, is excellent. Perhaps many of the old picture-goers would want to see her in talking pictures now if they knew that she is in the cast. She has not lost any of her old acting ability. Carol Lombard is in the cast.

It is a good picture either as a "talker" or as silent.

**"The Head of the Family"—with
Wm. Russell, Virginia Lee Corbin
and Mickey Bennett**

(Gotham; Oct. 15; 5,587 ft.; 64 to 79 ft.)

A pretty good comedy drama. It is full of laughable situations and no little heart interest as well as a love story. It is the story of a hen-pecked father, formerly a plumber, who had become wealthy and had lost control of his family because he was too weak-willed to assert himself. He is brought to his senses by an employee, also a plumber (hero), by going away and giving the plumber a letter to his family, authorizing him to act as head of the family. The hero proceeds to spank the heroine, the young wild flapper daughter, to persuade the young son to give up the vamp who was gold-digging her way into his affections, and to quiet the too-talkative wife who domineered the whole family, making them all like it.

William Russell, at first a smart-aleck, becomes more likeable after he falls in love with the heroine. He almost loses her by pretending to have fallen for the vamp, so that he could get back from her the jewelry the young son had given her. Miss Corbin is full of pep and makes a charming heroine. At first she resists the efforts of the hero to tame her but finally falls in love with him. Mickey Bennett is a fresh youngster as the hero's pal and assistant. Richard Walling is adequate as the young son and Alma Bennett is a seductive vamp. Aggie Herring is good as the arrogant wife and William Welsh as the husband.

The picture, adapted from the *Saturday Evening Post* story by George Randolph Chester, was directed by Jos. C. Boyle.

A good program picture for smaller and neighborhood houses.

**"Napoleon's Barber" (AT)—with a
Special Cast**

(Fox short "Talker"; 2,999 ft.; 33 min.)

While the recording of the voices is not so bad, the reproducing is; there is too much reverberation, manifestly the result of improper sound-proofing, and of wrong distance of actors from the microphone. The talk sounds metallic, and at times as if it came out of a barrel. The acting is very good, but as an entertainment the picture is only fair.

It is a fictitious incident from the life of Napoleon, showing a barber with revolutionary ideas, telling his friends how he hated the Tyrant, and how much he would like to have him in his barber's chair to cut his throat from ear to ear. A stranger approaches him and asks for a shave. Soon they open a conversation and the barber, not knowing who the stranger is, resumes his harangue against Napoleon, telling him what a beast this man Napoleon is, and what a "butcher." Through an incident it comes to light that the stranger is none other than Napoleon himself. The barber then falls upon his knees and begs Napoleon to spare his life. Napoleon leaves the barber shop telling the barber that he can forgive a revolutionist, that he can forgive a bad barber, but that he can never forgive a bad poet, such as the barber was.

While Napoleon is in the chair, the conversation takes many twists, even touching on Josephine, the Empress. When the barber finds out that the stranger is Napoleon, his knees shake, naturally.

Napoleon asks him to shave some rough spots from his chin, left because of his bad barbering; but the barber is shown as unable to proceed.

"Isle of Lost Men"—with Tom Santschi

(Rayart; Oct.; 5,800 ft.; 67 to 82 min.)

Not a bad sea melodrama for those who like this type of pictures. It is a fast moving blood and thunder he-man tale of the tropical isles, the hero being shown always fighting one of several villains between breaths.

The story revolves around the efforts of the hero to search for valuable islands by aid of a chart; the theft of the chart by the skipper (one of the villains) of a pirate ship, and its subsequent recovery. There is a love story between the heroine, a supposed daughter of a cut-throat trader, another villain, who had kidnaped her when she was a baby, and the hero, whom she had rescued when she found him on the beach after he had been shipwrecked.

Tom Santschi, the skipper, is good as a husky fighter who bullies his crew into submission. Allen Connor is likeable as the hero who was finally united with the heroine after they were found by the captain of a yacht, who turned out to be the father of the heroine. Patsy O'Leary is a pleasing heroine. James Marcus is a despicable thieving trader whose greed caused his death at the hands of his wife, a native, because he had sold the heroine to the skipper and she herself was in love with him. Paul Weigel is the clergyman who educated the heroine and brought about the union of hero and heroine.

There are thrilling fights on board the pirate ship when the hero, seeking to recover his chart, is found, after the crew had thought a ghost was on board. This led to many fights and the skipper was hurled into the sea and drowned. There is even an accidental fire on board which in some way is forgotten. The picture was directed by Duke Worne from a story by George W. Pyper.

**"The Haunted House" (S)—with a
Star Cast**

(First N., Nov. 4; Syn., 5,986 ft.; Sil., 5,755 ft.)

The picture is just what the title indicates that it is. It is a mystery picture, in which the characters are put in such a predicament by slamming doors and by other mysterious noises, as well as by skinny arms extending to grasp the victims by the throat, that such characters appear frightened out of their wits, and, if one is to judge by the way the picture was received at the Paramount Theatre, this city, that fear is transmitted also to the spectator. In fact, he is held in tense suspense. Here and there the action shows some tendency to lag for those that are hard-boiled, but the general public seemed to enjoy it immensely. Children may get scared out of their wits by the mysterious happenings. The end of the action shows that all these mysterious doings were done purposely, to help one of the characters find out who it was that had put arsenic into the glass from which he had drunk some liquid.

The plot has been founded on the mystery farce by Owen Davis. It has been directed by Benjamin Christensen. Chester Conklin and Flora Finch, contribute much comedy. Thelma Todd, Larry Kent, Edmund Bresse, Barbara Bedford, Sidney Bracy, William V. Mong, Eve Southern, Montague Love and others are in the cast.

luxury. So when you decide to buy an instrument, make sure that the company you are dealing with employs sound experts and it is reliable enough to tell you the truth whether your theatre should or should not have a talking picture instrument.

I am gathering the necessary data for an article giving instructions as to how to make a rough test yourself. The talking picture is here to stay. In order for you to make the best of it, it is necessary that you, train, not only your eyes, but also your ears. You must put yourself in a position to know what you are doing. Otherwise, you will be throwing away money you cannot afford to throw away. Every one of the sellers of talking picture instruments will tell you that they have the best instrument in the world. You must put yourself in a position to know whether it is so or not.

In undertaking this series of articles, my chief object was to give you the information that would enable you to know what type of instrument is the best and why, so that you might save yourself from buying a mediocre instrument first and being compelled to buy a good one afterwards. Talking picture instruments, even of independent manufacture, cost a great deal of money. And you cannot afford to buy a new instrument every month. I know that you are eager to make an immediate installation of such an instrument because business is bad right now and you attribute it to your lack of such an instrument. As a result, you may plunge right into an expense before you stop to think of other factors.

For instance, suppose you installed such an instrument; where are you going to get your films from? I have asked the Vitaphone Company to make itself clear on the matter of interchangeability, and although Mr. Quigley was good enough to reply with courtesy to the several communications from this office, the question is far from being settled. I asked Sam Morris, General Manager of Warner Bros., if they would rent their talking pictures to exhibitors that have a talking picture instrument installed, and was told by him that they could not do so at present owing to their contractual obligations with Electrical Research Products, Inc. He said, however, that this matter is being discussed and MAY be settled soon. How soon it will be settled, however, neither he nor any one else knows. And there are few other worth-while talking picture features in the market at present.

Many persons in this industry think that Electrical Research Products cannot stop an exhibitor from showing a Vitaphone talking picture over a talking picture instrument of independent manufacture. Unofficially, I agree with such persons myself, if Warner Bros. will let them have it. It is, in fact, my belief that Otterson is bluffing, for the reason that the decision of the United States Supreme Court in the case of Motion Picture Patents Company vs. Universal Film Manufacturing Company, rendered April 9, 1917, stated that "the grant by patent of the exclusive right to use, like the grant of the exclusive right to vend, is limited to the invention described in the claims of the patent, and that the law does not empower the patent owner by notices attached to the things patented to extend the scope of the patent monopoly by restricting their use to material necessary for their operation but forming no part of the patent invention, or to send such articles forth into the channels of trade subject to conditions as to use of royalty, to be imposed thereafter, in the vendor's discretion. . . . In determining how far the owner of the patent may restrict the use after sale of machine embodying the invention, weight must be given to the rules long established that the scope of every patent is limited to the invention as described in the claims, read in the light of the specification, that the patentee receives nothing from the patent law beyond the right to restrain others from manufacturing, using or selling his invention, and that the primary purpose of the law is not to create private fortunes but to promote progress of science and the useful arts. . . . The extent to which the use of a patented machine may validly be restricted to specific supplies or otherwise by special contract between the owner of the patent and the purchaser or a licensee, is a question outside of the patent law. . . ."

In other words, not only can you, according to this opinion, show any film on a Western Electric instrument or a film made by the Western Electric process over any instrument (if you can get such film), but you can use parts from any concern to repair a Western Electric instrument with so long as the parts in question are not covered by patents.

But, as I have said, this opinion of mine is unofficial; not being a lawyer, I cannot undertake the responsibility of advising you on legal matters. This must be done by your lawyer. Even then, the matter is not settled, for there must be a court ruling.

It is with great regret that I am not able to give you this

week the information about independent talking picture instruments I promised last week to give you, for the reason that I haven't complete information on them, and I don't want to discuss in these pages any instrument, unless I have all the facts about it. For instance, I asked Mr. Alfred Weiss, manufacturer of the Biophone disc instrument, to give me the serial numbers of the patents under which he manufactures his instrument, but so far I have not received a reply. Information of this nature is essential for your protection. You cannot afford to put yourself into a position where you can have lawsuits, as you naturally would if you were to install an instrument whose patent rights are not well defined. You have property that can be attached in case there were a lawsuit.

Theatre Owners Chamber of Commerce of New York City has called a meeting for Thursday (December 20); it has invited the independent manufacturers of talking picture devices to tell that body just how they are going to protect the exhibitor from lawsuits. Their contracts may specify that they will protect you, but that provision is meaningless when it comes to performing it, unless there is a real guarantee. This is another reason that made me refrain from discussing these instruments this week.

Be patient! First make sure that you will have talking pictures to run in case you should decide to install a talking picture instrument; secondly, see that the instrument is fully protected by patents before buying it; and, thirdly, get a bona fide guarantee against lawsuits. Let any payment you make on one of these instruments be put in escrow at a bank, until the patent rights of that instrument have been legally established. Don't rush madly headlong into trouble!

Notes on Non-Synchronous Instruments

Columbia Phonograph Company informs me that they supply two cone speakers with the \$800 instrument, which will give ample volume of sound for theatres seating up to 1,000; that four cone speakers are supplied with the large machine, which sells for \$1,100; that either one or both amplifiers can be used at the same time; and that the selling terms are, 30 per cent. down and balance in six equal monthly payments, f. o. b. Bridgeport, Connecticut. For further particulars address Mr. Woerner K. Doetsch, in care of Columbia Phonograph Company, 1819 Broadway, New York, N. Y.

The Good-All Electric Manufacturing Company, of Ogallala, Nebraska, manufacturers of the Good-All Orchestrola, informs this office that they are ready to sell to all exhibitors, irrespective of whether they have their instrument or not, special sound records.

The Platter Cabinet Company states that they are now selling sound records, and that beginning in January they will be ready with their cue service.

Nu-Art Record Cue Service, of 308 South Harwood Street, Dallas, Texas, has replied satisfactorily to all questions put to it by this office.

Kramer Organ Company has replied to a communication from this paper stating that they are back of the National Record Cue Service of America, of 1600 Broadway, New York City, and that they have a full line of sound effect records, such as, freight trains, passenger trains, aeroplane effects, carnival, storms (thunder and wind), gong, cuckoo, horse hoofs, sleigh bells, applause, fire apparatus, and others. They invite me and any exhibitor to visit their office and inspect their outfit.

ORDER YOUR MISSING COPIES!

During the Christmas mail rush, your copy of HARRISON'S REPORTS may go astray. If so, order a duplicate copy at once; it will be supplied to you free of charge.

You had better also go through your files and see if there are any copies missing so that you might order duplicate copies. You cannot tell when you may need just the copy that is missing. "Every copy is worth its weight in gold," a subscriber told me the other day. "I steal it at \$10 a year." So why have your file short of any copies when you can have it complete without any cost? I want you to get the full benefit out of all the information given in the paper. You cannot afford to miss any of the talking-picture articles. So go through your files now!

HARRISON'S REPORTS offers to the subscribers the greetings of the season.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States.....	\$10.00
U. S. Insular Possessions.....	12.00
Canada and Mexico..	12.00
England and New Zealand.....	14.50
Other Foreign Countries.....	16.50
25c. a Copy	

1440 BROADWAY

New York, N. Y.

A Motion Picture Reviewing Service by a Former Exhibitor
Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Tel.: Pennsylvania 7649

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. X

SATURDAY, DECEMBER 29, 1928

No. 52

An Analysis of the Reformed Standard Contract—No. 4

In pointing out in the previous article the unfairness of the arbitration procedure in the motion picture industry, I overlooked one important fact, that the managers of the exchanges, among whom the three exchangemen-arbitrators are selected, are not free agents; they are merely employees. And as such, they cannot act with freedom. When they are to render a decision on an important question, a question that might, as said, involve a loss of millions of dollars to the producers yearly, they are compelled to think of their jobs. On the other hand, the exhibitors, being mostly owners of theatres, are not subjected to the same mental strain; if they are not prompted to act by selfish motives, they can always render a decision impartially, feeling that, even if they should decide wrong, they would at least know that they voted in accordance with what they believed was right. This is an advantage, which works to the benefit of the producers. And such advantage will not be offset by the exhibitors until the system of choosing exhibitor-arbitrators that has been suggested in the previous article of this series has been adopted. So long as the present system prevails, there will be no justice in arbitration; the arbitration boards will be merely collection agencies for the producer-distributors.

Of course, the producers do not want them to be anything else. A few weeks ago three cases came before the New York board involving sums of 67c, 72c and 73c. They want the arbitration boards in the main, not to decide disputes between distributors and exhibitors, but to collect what they think exhibitors owe them. And they are surely able to twist the spirit of arbitration the way they want to. In the case that I mentioned in the previous article of this series, that Florida case, in which a theatre was destroyed by fire and the exchange brought the exhibitor before the board and secured a decision against him, I took the matter up with the Home Office of the company in question. Their justification was, as the General Sales Manager said, that this exhibitor, after the fire, played in his airdome the pictures of the other distributors but not theirs. In accordance with the provision in the eighteenth clause of the old standard contract, there were no contracts in existence immediately after the destruction of the theatre by fire. And yet they brought this exhibitor before the board on what they thought was a grievance.

RULE II

I. This article provides the manner whereby the Chairman of the Board shall be elected. In the New York zone, there is an agreement whereby the office of the chair alternates between the distributor and the exhibitor groups. One month, one of the three distributors acts as chairman, and the next month, one of the exhibitors. Another agreement is to hold the meetings in the distributor quarters one month, and in the exhibitor quarters the next month. This arrangement has been found extremely satisfactory, in that it puts both sides on an equal footing. The same arrangement has been copied by a few other zones, but not by all. This paper suggests that all zones adopt it.

One other important thing the exhibitors of this zone have done is to have their own stenographer during the board meetings, who takes down the proceedings. Thus the exhibitors, too, have a copy of the minutes. It is essential that all the other zones adopt this system.

2. This article empowers the arbitrators to fix the

amount that the distributors shall demand of the exhibitor as security, in the event the exhibitor defaulted. As this rule has been adopted by the distributors as a group, its legality is questionable. In fact, the legality of the entire arbitration proceedings is questionable for the same reason. (More will be said on this matter in the conclusion of this series of articles.)

3. This article gives to the arbitration board the right to adopt its own rules of procedure. But it is a meaningless article, for the rules of arbitration procedure are made by the Hays organization.

4. "The findings, determination and directions of the Board of Arbitration upon such controversy shall be conclusive and binding upon the parties thereto." Such findings, determination and directions of the board may be conclusive and binding, if you want to accept the word of the makers of these rules, but that does not prevent you from seeking justice in the courts, from applying for a vacating of the award, in case the arbitrators, (1), rendered an award by corruption, fraud or other means; (2), showed partiality; (3), were guilty of misconduct in refusing to postpone a hearing upon sufficient cause shown, or in refusing to hear evidence pertinent and material to the controversy, or guilty of having misbehaved in any way whereby your rights were prejudiced. You can apply to the courts for the vacating the award on any of these grounds, if you should not want to attack the legality of the arbitration proceedings entirely, on the grounds of conspiracy, as well as on the grounds of your being deprived of your rights of trial by jury, which, because arbitration in this industry is compulsory, are taken away from you without due process of the law. Judge Thomas D. Garnahan, of Pittsburgh, in continuing the injunction sought by P. L. Gorris, of McKeesport, Pennsylvania, against the Pathe Exchange, which demanded "additional security" (the well known black-jack), said among other things:

"... There are some things in these contracts that do not seem to me to be right. . . . The contracts look to me to be one-sided. . . . The contracts are said to have been made by representatives of the exhibitors as well as of the distributors, but the contracts themselves are all in the interest of the distributor, and the exhibitor does not seem to have very much to say about them. . . .

"So far as the arbitration is concerned, there is a provision about arbitration, but what has the exhibitor to do with that? He does not have any choice in the selection of the arbitrators at all. The arbitration arrangement or agreement or clause is made by a representative of the exhibitors and they get together—the national organization provides for that, you have the national organization of each—and they arrange these clauses in the contracts. Those provisions in the contract, every one of them, is for the protection of the distributor, as far as I can see. There is a provision that three exhibitors may sit on the arbitration board and three of the distributors and the three distributors are taken right from the very people who compose that board, there are only 14 of them; and the other three are taken from a large organization, and the exhibitor has nothing to say about it all; he cannot open his mouth about it and he has to accept their decision or accept none. . . .

These are the words of the court. And they are weighty, for no judge will take such a stand in a

(Continued on last page)

"Nothing to Wear"—with Jacqueline Logan*(Columbia, Nov. 5; 5,701 ft.; 66 to 81 min.)*

A good picture. The underlying idea of the story is not worn out, and has been constructed into a plot in a way that the spectator is kept guessing as to what the outcome will be. There is suspense throughout, and some comedy.

The heroine's love for furs, and her husband's unwillingness to buy her a particular fur coat she had set her eye on, forms the foundation of the plot. In the development, the heroine is shown going to an old sweetheart of hers to tell her that her "mean" husband would not buy her a fur coat. She returns home. Soon a messenger brings the coat with a unsigned note, but addressing her as "sweetheart." Thinking that the coat had been sent to her by her former sweetheart, and thinking it unwise to keep it in the house lest her husband see it and create a scene, she sends it to her former sweetheart with a note thanking him for the present but requesting him to keep it in his apartment, so that she might wear it when they go out. The old sweetheart's fiancée visits him, and is told by him that he has a surprise gift for her, the gift being a diamond bracelet. At that moment the messenger with the fur coat arrives, and the fiancée, thinking that it was the gift her fiancé had promised her, puts it on and thanks him for it. The old sweetheart hasn't the nerve to tell her that the coat was not his and that it belonged to his friend's wife (heroine). The hero returns home, and finding the heroine still cold towards him asks her maid if she had received a fur coat he had sent his wife. The maid, having been instructed by the heroine to say nothing about the coat, answers in the negative. The hero telephones to the fur shop and learns that the coat had been delivered to his wife. Becoming suspicious of theft, the hero engages a detective to find the thief.

Things soon become so complicated that the heroine is arrested and the husband learns about the note, and everything points towards divorce proceedings when the former sweetheart and his fiancée decide to prevent it by marrying in the hero's house and thus reassuring the hero that there was nothing wrong with the relations between the old sweetheart and the heroine. The heroine had already learned that the fur coat had been sent to her by her husband.

The story was written by Peter Milne. The picture was directed by Earle C. Kenton. Theodore von Eltz is the hero; Bryant Washburn, the "old sweetheart"; Jane Winton the old sweetheart's fiancée.

There are no offensive sex situations in the picture, but there is a "shot" of one of the women characters in the nude. There is no necessity for this "shot," in that the story does not demand it; it was evidently put there by the producers as an "extra" attraction.

Note: One of the titles reads as follows: "Now get the hell out of here!" The use of the word "hell" in a picture is a violation of the promises the producers made at the Trade Practice Conference.

"What a Night"—with Bebe Daniels*(Paramount, Dec. 22; 5,378 ft.; 62 to 76 min.)*

Enjoyable! This is owed to Miss Daniels' good acting. This time she takes the part of a newspaper reporter, who had been given a job by the editor out of regard for her dead father, with whom he had been a friend. The comedy comes from the young heroine's blunders, at the time the hero, crack reporter, and the editor, were trying to get something on a politician, and blunders were out of place, as they might prove costly to the paper. In one part of the film it is shown that the paper, on the strength of a cancelled check as the evidence, had printed a strong story about the connections of a gang leader with a certain prominent politician, but the gang leader managed to take the evidence away from the hero at the point of a gun. The clue had been supplied by the heroine, and she would have become very popular with the paper had it not been for the fact that the gang leader succeeded in stealing the evidence. Later on in the picture the heroine saves the day by securing a photograph showing the gang leader and the politician together, conferring in a lonely spot. This made the heroine very popular with the editor and with the hero, for without that evidence the paper would have been compelled to retract the earlier story, and would have run the danger of being ruined.

There are many laugh-provoking situations all the way through, particularly the ones that show Miss Daniels and William Austin hiding in the villain's lair and trying to

get a flashlight picture of the gang leader and the politician together. Bebe Daniels is good in the part of the innocent newspaper reporter. Neil Hamilton, too, is good as the reporter. Wheeler Oakman gives his usual villainous performance. Charles Sellon, Charles Hill Mailes, Ernie Adams and others are in the cast.

The plot has been founded on a story by Lloyd Corrigan and Grover Jones. The picture has been directed with skill by Edward Sutherland.

A good entertainment for any theatre.

"Prep and Pep"(S)—with David Rollins and Nancy Drexel*(Fox, Nov. 18; Synchronized; 6,086 ft.)*

A good program picture of a military school, in which the chief diversion is the hero, a freshman, who had gone to that school immediately after his arrival from London, where he had been tailored in the latest style of clothes, and where he had been groomed in the latest style of social conduct, but which conduct wasn't so popular with the other students of the military academy. The laughs are plentiful, caused by student pranks.

The underlying idea is not new, but it has been handled in a refreshing way. It deals with a young man, whose father had been a famous athlete in his days at the military academy, but who had not turned out to be like his father. He was timid, lacked athletic ability, and appeared to the other students as a simple-minded fellow. After a while he realized that his father's fame was a handicap to him, and that he would never make a success at the academy, and decides to leave. But the headmaster shames him not only into remaining at the academy, but also into making good. He wipes off the old score with the crack athlete of the academy by giving him a good beating for the beating the crack athlete had given him in the early days. He also performs a heroic act in dashing with his horse into the burning forest and saving the headmaster's daughter (heroine) as well as the crack athlete himself, who had been pinned under a fallen tree. For this he is acclaimed a hero. Naturally he wins the hand of the headmaster's daughter, in addition to becoming fast friends with his former enemy, the crack athlete.

The scenes that show the hero dashing into the burning wood with his horse are naturally thrilling.

The story was directed by David Butler. It was written by Mr. Butler himself, in collaboration with William Conselman. Others in the cast are, John Darrow, E. H. Calvert, and Frank Albertson. Mr. Albertson contributes most of the comedy as the hero's roommate and manager.

"Dream of Love" with Joan Crawford and Other Tried Actors*(M-G-M, Dec. 1; 7,987 ft.; 92 to 114 min.)*

As a costume play, "Dream of Love" has been produced with great skill. The acting and direction is of the highest order, and the settings impressive and pleasing to the eye. There are situations that hold one in fairly tense suspense. One of such situations is where the dictator's wife visits the prince, whose father had been deposed, but who was allowed to live in the country of the fictitious Balkan Kingdom, turned by the dictator into a principality, so long as he behaved himself; the dictator's wife had been infatuated with the Prince, and had offered to withdraw her moneyed support from her husband and to help him declare their country a kingdom once again, if he would promise to make her his queen. The dictator enters the room and the spectator fears lest he discover his wife hiding behind a screen. The love affair between Nills Asther, as the prince, and Joan Crawford, as the gypsy heroine, is well done, but it is a bit hard to believe; princes do not usually fall in love with gypsies, even in fictitious kingdoms.

Mr. Warner Oland is good as the dictator. So is Aileen Pringle, as the dictator's ambitious wife. Carmel Myers impersonates the part of the duchess, who had many lovers, well. The picture is a bit sexy but the sex situations have been handled well.

The plot has been suggested from Eugene Scribe's play, "Adrienne Lecouvreur." The picture has been directed by Fred Niblo.

If your customers like costume plays they might enjoy this one well.

"Sally's Shoulders"—with Lois Moran*(F. B. O., Oct. 7; 6,297 ft.; 73 to 89 min.)*

A pretty good program picture. While no one does exceptionally good work, the story sustains the interest. The heroine is shown making a self-sacrifice; she was willing to give up the man she loved to her kid sister, who stole all her boy friends. She had brought up her sister and her wastrel brother by keeping a modest tea room. Her brother, a bank teller, got mixed up in fast company, married on a dare, and embezzled funds from the bank to cover his gambling debts. And because the heroine would not act as hostess in the villain's gambling rooms and cabaret, the villain has her tea room raided by having her brother hide liquor in her cellar, where it was found by the raiding party. The hero had faith in her until he learns that she had taken the position of hostess, but, as he did not know that she did so to prevent her brother from going to jail, when he had the cabaret raided and found that the heroine was in the villain's office, he suspects that she had been unduly friendly with him. He was ready to leave her when her brother, who had reformed, tells him that she had gone there to warn her young sister to leave before the raid. They are then united.

Huntley Gordon is the hero; George Hackathorne is the weak-willed brother. Others in the cast are Lucille Williams, James Mason and Edythe Chapman. It was directed by Lynn Shores from the story of Beatrice Burton.

"Brotherly Love"—with Karl Dane and George K. Arthur*(Metro-Goldwyn-Mayer, Oct. 13; 6,053 ft.; 70 to 85 min.)*

An amusing farce-comedy. It is a mixture of broad humor and satire, based on the freedom allowed in certain prisons where the prisoners are treated more like invited guests than criminals. Their cells are shown as decorated like college rooms, their food is of the best quality, and the spirit of brotherly love is encouraged by the prison warden, who believed that kindness was better than tyranny.

The football game between the rival prisons is a gem of burlesque. Fans will enjoy it.

Karl Dane is the crude prison guard, who wanted to get revenge on a prisoner who had previously made a fool of him when he was a floorwalker in a barber shop. He had unwittingly committed an offense in trying to escape and so landed in jail. Both were in love with the warden's daughter.

Jean Arthur makes a charming heroine as the nurse who really loved the refined handsome young prisoner.

The picture was directed by Charles F. Reisner, from Petersen Marzoni's story "Big Hearted Jim."

"My Man" (PT)—with Fannie Brice*(Warner-Vitaphone, Jan. 12; Synchronized; 9,247 ft.)*

It is manifest that in this newly developed branch of entertainment, the talking picture, artistic ability and intelligence will subordinate beauty and lack of intelligence; Miss Brice proves it. She is not a beauty, such as we are accustomed to see in the leading roles in moving pictures; but what an actress! She can make you cry as easily as she can make you laugh. Her acting ability captivates the spectator. "My Man" seems to have been written specially for Miss Brice. She is given an opportunity to sing several of the songs that she sang on the vaudeville stage. Some of them are comical; some are pathetic. "My Man" is a pathetic song. And she sings it with deep feeling, for she is shown as having just lost the man she loved, her sister, whom she worshipped, having stolen him from her. "Flora-dora Baby," "Second-hand Rose," "Spring Song," "I Am An Indian," "If You Want the Rainbow, You Must Have the Rain," are some of the other songs she sings throughout the picture.

The story revolves around a shop girl, a seamstress, who lavished her affections on her orphaned sister. But the sister always caused trouble for her with her modern ideas. Finally she runs away with a theatrical producer. The heroine is heart-broken. Her ability to sing and to act comes to the attention of a producer. She is given a try out. While she is being given the tryout, she sees her sister come to the office and have a scene with the producer; she then realizes that it was he with whom she had run away. But she is rejected. Her talent, however, could not be hidden; she eventually finds her way on the stage, where she makes a great success. She finds a young man (hero) whose physical strength she had always admired, in difficult circumstances and helps him. She takes him to her home. They decide to marry. Just at the time her wayward sister

returns. She succeeds in taking the hero away from the heroine. The heroine's heart is broken and she orders her sister out of the house.

The closing scenes show the young hero and the heroine's sister sitting in the orchestra of the theatre where the heroine was playing, the hero talking to his companion and vowing to go back to the heroine and to beg her forgiveness. It is not an altogether satisfactory ending, but this defect should be overlooked because of the other good qualities.

The plot has been founded on a story by Mark Ganfield. Archie L. Mayo has directed it with skill. Edna Murphy is the bad sister, and Guinn Williams as the hero. The characters talk in over half of the picture. The voice of Miss Brice registers well; so does that of Miss Murphy. But that of Mr. Williams is not sharp. Others in the cast are Richard Tucker, Clarissa Selwynne, Arthur Hoyt, Billy Seay and others.

"Tropical Nights"—with Patsy Ruth Miller*(Tiffany-Stahl, Dec. 10; 5,449 ft.; 63 to 77 min.)*

This picture has been founded on the Jack London novel. Though Jack London's novels are literary masterpieces, none of them so far has made a genuinely good moving picture. "Tropical Nights" is no different from the others. It is not a very good picture. The characters do not do anything that would befriend them to the spectator with any kind of warmth. On the contrary, some of the things they do are displeasing to the average picture-goer. For instance, in one situation the hero's young brother is shown luring the heroine into his shack and then making an insulting proposal to her. Offering her a pearl, he is shown as saying: "This pearl will pay your way home if—," meaning if she would "capitulate" to him. In a later situation a friend of the hero is shown making determined advances to the heroine, threatening to tell the hero that she had murdered his young brother if she would refuse. The murder, which is committed by the hero's friend for the purpose of robbery, is not a pleasant sight either. Much less so because an innocent person—the heroine—was made to suffer for it; she thought that the hero's young brother died as a result of the push she gave him when he made the insulting proposal to her; he had struck his head on a sharp piece of wood, and therefore she was in constant mortal fear lest she be detected. The only pleasing thing in the picture is the tropical scenery, and the pearl diving. In one scene the foot of the murderer is shown caught by a big clam; and in a later scene a devil fish of immense dimensions is shown wrapping its tentacles around the body of the young murderer, while he was still held fast by the clam. These scenes have been made extremely realistic by Elmer Clifton.

Lawrence Gray, Robert Edeson, Raymond Keane, Shirley Palmer, Ralph Emreson, Claire McDowell, and John St. Polis are in the cast.

PAGE DAVE BARRIST AND "BREVITY"!

Mr. U. A. Graham, of Grand Theatre, Knoxville, Tennessee, sent in his check for the renewal of his subscription without signing it.

I sent it back and told him to put his "John Hancock" on.

He sent back the letter with the following notation:

"Sorry, old fellow! I'm really not an absent-minded professor, but probably will be worse than one by the time I have played off all those so-called silent prints.

"Received one last week on 'Excess Baggage,' and my audience had to watch every reel end up with, 'Start here for sound effects.'

"I am going to try to borrow Leo, the M-G-M lion, if possible and have him roar when these appear on the screen. That is, of course, providing there's any roar left in him.

"I guess I'll sell my theatre and go into making sound equipment. All a fellow seems to need is a 'phone attached to his name and a good 'sound' slogan.

"Yours for more acting and less noise."

case before him unless he were sure that a great wrong had been committed. And you will find many a judge that will agree with Judge Garnahan, if you should have courage enough to apply to the courts for relief. In my experience as a publisher of HARRISON'S REPORTS, I have observed that, in almost every instance, the exhibitor who was wronged by a distributor and applied to the courts for relief, received a satisfactory settlement. I have but to mention some recent case, leaving aside the Peekskill case of several years ago, in which a distributor was made to pay heavily for his wrongs against the exhibitor and the exhibitor, whose counsel was the brilliant attorney, Mr. Nathan Burkan, was told by the court that the defendants committed acts that were liable to criminal prosecution. It is rumored that Sidney Samuelson, of the Park Theatre, Newton, N. J., received an \$80,000 settlement a few months ago. It is rumored also that Frank Rembusch has received a \$20,000 settlement.

I could go on and mention case after case that has been settled out of court, because the producer-distributors will not let it go to the courts for determination, for if conspiracy were proved, it might mean a severe punishment for some one.

5. "In any controversy submitted to a Board of Arbitration upon complaint of a distributor which is determined in favor of the exhibitor the Board of Arbitration may in its discretion include in the decision or award an award of a sum to be paid by the distributor to the exhibitor not to exceed the cost to the exhibitor of railroad transportation from and return to the city or town in which the exhibitor's theatre is located and an additional sum not to exceed \$10 provided the exhibitor has attended the hearing."

Notice the word "may." Why shouldn't it be "shall"? When an exchangeman drags before the board an exhibitor whose theatre is three hundred miles away on a false dispute and loses the case, it should be obligatory for the board to award to that exhibitor his railroad fare as well as the \$10 provided by this rule. If it were made obligatory, there would be fewer cases before the board, for the exchangers would be compelled to make sure first that they had a real grievance instead of an imaginary one before resorting to arbitration proceedings. You should demand your railroad fare and the \$10 provided for by this rule in case you should win a case before the board, not only when the exchange is the complainant but also when you are the complainant. The fact that it is you who brings the distributor before the board should make no difference, for if the distributor would have done the right thing in the first place, you would not have been compelled to bring him before the board. Exhibitor-arbitrators should insist that the exhibitors be reimbursed for this expense, for unless they do so the exchanges will be encouraged to drag exhibitors before the board on any slight pretext. I have known cases where exhibitors far away from the center of distribution were haled before the board not because the distributor had a real grievance against them but because they knew that the exhibitors would settle the dispute to the distributors' favor rather than waste one or two days of their time, away from their families and businesses, attending the board proceedings; they felt that it would be better for them to stand the loss rather than be inconvenienced. Exhibitor-arbitrators should discourage this abuse.

8. "Every dispute or controversy must be submitted for determination to the Board of Arbitration within nine (9) months after the date of the breach of the contract or of the act of omission or commission out of which such dispute shall have arisen."

In the rules that were in force from May, 1926, to last May, when these (new) rules went into effect, the time limit for outlawing the contract was twelve months. It has now been cut down to nine months.

In the winter of 1926, when the Uniform Contract was discarded and the Standard Exhibition Contract was adopted, the exhibitors insisted that a time limit be put for the performance of contracts. The intention of the exhibitors was to make it impossible for distributors to resurrect old contracts and insist that the exhibitor play them out, bringing them before the board should they refuse to do so. That agreement

now forms this article, with this difference, that the time limit, which at that time was made twelve months, has now been lowered to nine months.

According to this article, when you stop playing pictures under a contract and the exchange neither assigns play-dates to you nor brings you before the board, the contract becomes outlawed nine months from that date, that is, the date you stopped performing it; or from the last picture you played, provided you did not ask for play-dates during that time. Once you ask for play-dates, the nine months start from that date.

It is understood, of course, that where the pictures are made within the life of the contract and the distributor fails to deliver them during such time, unless there is some other provision that prolongs the contract automatically, the distributor cannot force you to play the remaining pictures. What happens when the pictures are produced outside the life of the contract has been explained early in an article of this series. But it might not be amiss to say that contracts that contain no play-dates, whether for one picture or for more pictures, become outlawed one year after the date they were signed, provided you did not ask for play-dates and the exchange neither assigned such dates, nor summoned you before the board of arbitration.

The reasons for limiting the right of either party to bring the other before the board after nine months from the time of the dispute, or of the act of omission or commission, are as Mr. Charles Metzger, of Indianapolis, expressed himself to this paper, these: (1) If the contracts were allowed to lie idle for over nine months after the last service was used on them, the Distributor would be placed to considerable inconvenience in getting suitable prints with which to supply the Exhibitor at some later date; (2) if the contracts were allowed to lie idle for over a year after the last picture had been played, the Distributor might dig them out and use them as a sort of club to coerce the Exhibitor into buying some other of this Distributor's product; and (3), where the parties "slept" on their rights or were indifferent to them for nine months after the last picture was played, the Board should give them no consideration, under the theory somewhat similar to that of the statute of limitations in the regular courts. Where a long time elapses before an issue is brought to the courts for legal determination, the parties are liable to forget the circumstances surrounding the matter, the witnesses forget the facts or move away and cannot be made available to give testimony, or they die. For all these reasons, the meaning of this article may be summarized in the following:

"If the contract is over one year old and no pictures have been played from it, or if nine months (under the new arbitration rules, which supercede the old rules) have elapsed from the time the last picture was played under that contract and no date was asked by you or assigned by the exchange, and the exchange did not bring you before the board of arbitration, such contract becomes outlawed, and the exchange cannot take you before the board of arbitration or in any way force you to play such of the remaining pictures as were produced within the life of that contract. If the distributor, who is required by the terms of the contract to send you notices of availability for every picture, fails to send you such notices for one picture or, for that matter, for any number of pictures, before the expiration of your contract, then he has no right to send you such notices afterwards and he can no longer force you to play any of such pictures."

In order for me to make the latter statement (about the outlawing of a contract through failure of the distributor to send you notices of availability within the life of the contract) clear, let me make an illustration: Suppose you bought a number of pictures in the fall of 1927, and the first picture you played under that contract was on December 31, 1927. Suppose, again, that you kept up playing the pictures regularly but the distributor for some reason failed to send you notices of availability for, say, three pictures (already produced) before December 31, 1928; such contract is dead, by reason of laches on the part of the distributor, and nothing can give him the right to revive it, unless it be your consent, or unless there is an appropriate added provision in such contract.

(To be continued)

Scanned from the collection of
John McElwee

Coordinated by the
Media History Digital Library
www.mediahistoryproject.org

Funded by a donation from
The Libraries of Northwestern University and
Northwestern University in Qatar

